

Town of Arlington

Fair Housing

Action Plan

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Executive Summary

Introduction

The Arlington Fair Housing Action Plan addresses equitable access to housing choice in the Town of Arlington. Since 1968, all communities that receive funding from the US Department of Housing and Urban Development (HUD) have had an obligation to “affirmatively further fair housing.” The ultimate goal of fair housing efforts is to eliminate housing discrimination and residential segregation. This plan aims to advance these twin objectives through analysis of existing conditions and recommendations for concrete action the Town can undertake.

Fair housing laws address discrimination based on characteristics that are often (though not always) personal and immutable. These characteristics are called “**protected classes**” in fair housing law and include the following:

- Race
- Color
- National origin
- Religion
- Sex
- Familial status (presence of children)
- Disability
- Age (40 and older)
- Marital status
- Genetic information
- Sexual orientation
- Gender identity
- Military service
- Arrest record

Despite laws against discrimination, protected classes often face more limited housing options that results in de facto segregation, inequitable housing costs, unsafe living conditions, and unequal access to opportunity. To address these inequities, municipalities can use fair housing plans to identify barriers to fair housing choice and create a policy framework for more inclusive communities.

The Arlington Fair Housing Action Plan was developed from 2019 to 2021 by the Town of Arlington working with the Metropolitan Area Planning Council (MAPC) and the Lawyers’ Committee on Civil Rights (LCCR). The plan was funded by the Town of Arlington through the Community Development Block Grant Program and through MAPC’s technical assistance program. In addition to data analysis, the planning team conducted interviews and focus groups with Arlington residents, Town staff, Housing Authority staff, school officials, nonprofit officials, and service providers.

Community Profile

Can members of protected classes access housing in Arlington? This plan uses quantitative demographic data (mostly from the Census Bureau's American Community Survey, 2013-2017 5-year estimates) to discuss representation of the nine protected classes for whom data is available. This plan assesses how many members of those protected classes live in Arlington, how this figure compares to other municipalities, and how Arlington compares to combined region of 24 municipalities that has Arlington at its center.

Demographics

- Arlington's residents are 78% White, 12% Asian, 4% Latino, 2% Black, 3% two or more races, less than 1% are Native American, and less than 1% are some other race. When ranking communities in the comparison region by proportion of White residents (high to low), Arlington falls towards the high end of center (9th of 24).
 - While the total number of residents in most racial groups grew from 2013 to 2017, the Black population decreased by about 100 people, a change in population size of about 11%. This means it is likely that one out of every ten Black residents moved out of Arlington during this period.
 - Residents of color are more likely to live along the Massachusetts Avenue corridor than in the northern or southern portions of town.
 - Households of color living in Arlington earn more than Arlington residents that are White. The median household income for White households was \$100,495, compared with \$124,750 for Asian households; \$102,660 for Black households; and \$106,548 for Latino households. This pattern contrasts with the region generally, where households of color (especially Black and Latino households) typically have significantly lower incomes than White households.
- About 9% of Arlington residents have a disability. Arlington falls in the middle of communities in the comparison region when ranked by the proportion of residents with disabilities. The typical resident with a disability has earnings that are roughly half of the typical resident without a disability (\$32,500 and \$61,790, respectively).
- About 19% of Arlington residents are foreign-born. Arlington falls in the middle of communities in the comparison region when ranked by the proportion of foreign-born residents. The median household income for Arlington's foreign-born households is roughly half that of Arlington households overall (\$55,908 and \$103,594, respectively).
- Of all households in Arlington, 5% receive public assistance for housing, which is far less than the proportion of households receiving public assistance across the comparison region (13%). This suggests that households receiving public assistance are underrepresented in Arlington.
- Of the 18,632 households in Arlington, 31% (5,741) have children. In the comparison region overall, a smaller portion of households (26%) have children.
- About 16% of Arlington's residents are age 65 or older. Approximately 13% of people are age 65 and over in the overall comparison region, suggesting that Arlington hosts more seniors on average than the rest of the region. The median household income for senior households in Arlington is \$54,924, which is about half of median household income for all Arlington households (\$103,594).
- About 5% of Arlington's civilian population 18 years and over are veterans.

Affordability

- The median rental housing unit in Arlington is generally affordable to existing Arlington households regardless of race. However, Arlington's median rent is not affordable to the median Black or Latino households within the comparison region, while it is affordable to the median White and Asian households within the region. The typical Black and Latino households in the comparison region would need approximately \$600 in additional monthly income to afford the typical Arlington rental. These populations may have greater difficulty moving into Arlington than White households from the same communities.
- It would be difficult for the typical Arlington household to purchase a home in Arlington today, regardless of protected class status. A household earning Arlington's median income of \$103,594 could afford to purchase a home costing about \$475,000, assuming good credit, minimal existing debt, and a down payment of 20%, about \$100,000 less than the median home value in 2017 (\$577,600).

Access to Opportunity

- For the purposes of this analysis, access to opportunity is evaluated in four categories: Graduation Rates, Health Outcomes, Economic Mobility, and Transit Access. Arlington generally falls in the middle of the context communities in terms of overall opportunity. Regional patterns of segregation are precluding persons of color from accessing housing in higher-opportunity areas.
- Arlington's residents of color have higher levels of opportunity than many people of color residing in the comparison region. However, the town's low share of people of color means that the relative opportunity afforded by residence in Arlington does not benefit a proportionate share of people of color.

Fair Housing Factors

Fair housing choice can be affected by a variety of factors from direct discrimination to indirect factors like zoning and development. Though some impediments exist because of an intent to discriminate against members of protected classes, intent is not necessary for a condition to be an impediment to fair housing choice.

Structural Barriers to Fair Housing

Legacy of Exclusionary Past

- The housing market in greater Boston was significantly shaped by an early- to mid-20th century practice we now call "redlining." Through this practice, a federal agency created a series of maps that determined where and for whom mortgage lending would be made available. The red zones on these maps corresponded to areas where racial, ethnic, and religious minorities (especially Black people) lived, and homes there were ineligible for federally insured mortgage loans. These maps' "declining" yellow areas included racially integrated neighborhoods, and they similarly faced lending restrictions.

- Arlington was predominately classified as blue or “still desirable,” with yellow “declining” areas clustered along its borders with Somerville, Medford, and Lexington and along Massachusetts Avenue. These yellow areas—which notably overlap with much of the area where multifamily housing is allowed today—would have had fewer resources directed to them than the blue and green areas north and south of Massachusetts Avenue.
- Regional segregation was further embedded through “racially restrictive covenants,” which were contractual agreements written into property deeds that prevented homeowners from selling or renting their home to non-White households.
- Another policy tool that shaped who could and could not live in Arlington was the Town’s Zoning Bylaw.
 - In the 1960s and 1970s, as segregation in greater Boston was challenged and integration became a real prospect across the region, concerted opposition to development projects began.
 - Activists in Arlington used both explicit and coded anti-integration language to rally opposition to apartment development, support efforts to downzone portions of the town, and to create more burdensome discretionary permitting process for multifamily housing.
- The legacies of these historical practices are still embedded in Arlington’s laws and residential patterns.

Fair Housing in High-Cost Markets

- At a regional level, several protected classes are more likely to have lower incomes than the general population, including seniors, people with disabilities, foreign-born people, and people of color.
- When housing costs are high, those high costs are borne disproportionately by those protected classes with lower incomes, despite the structure of housing costs being neutral on its face.
- Though housing costs are neutral on their face, Arlington’s high housing costs are one mechanism for discrimination against certain protected classes.

Local Policies and Tools

Housing Policy and Development

- The Town of Arlington lacks explicit fair housing laws or other laws that reference housing and protected classes. However, Arlington has numerous policies, plans, programs, and resources that affect the housing market and thus fair housing.

Zoning

- Arlington’s Zoning Bylaw includes eight residential districts and six business districts, each of which allow different types of housing at differing densities.
- The current Bylaw is, in many areas, more restrictive than Arlington’s historic development patterns.
- About 61% of Arlington’s land is devoted to single-family housing, and any type of multifamily housing greater than two units is permitted on only 9% of the Town’s land.
- Even in districts where multifamily housing can be built, it is not permitted as a “by right” use. Conversely, single-family housing can be built by right in all residential districts.
- In multifamily residential districts, many zoning requirements can discourage or even preclude multifamily development that would be suitable in these areas and that would provide a broader range of housing types.

- Because homes in multifamily buildings tend to be less expensive than single-family homes, and some (though not all) protected classes have lower median incomes, restricting multifamily development can impact fair housing choice. Multifamily buildings are also more likely to have accessibility features that increase fair housing choice for seniors and people with disabilities.
- Arlington's inclusionary zoning law requires that 15% of units in new residential developments of six or more units be affordable to low-income households. The number of affordable housing units produced by the inclusionary zoning law in the nearly 20 years since its adoption is low, due to the limited amount of multifamily development in Arlington.
- Arlington has substantial Special Permit and Environmental Design Review processes for permitting development. Discretionary review processes, particularly robust ones such as Arlington's, can increase housing costs and provide an opportunity for discrimination against protected classes, whether intentional or unintentional.

Governance

- Three Town boards deal with the civil rights of Arlingtonians and could reasonably overlap with fair housing matters: the Arlington Human Rights Commission (AHRC), the Disability Commission, and the LGBTQIA+ Rainbow Commission. The AHRC hears complaints about rights violations that often involve housing, though it has no formal power to address discrimination directly.
- The Town of Arlington has several departments and staff roles that impact fair housing, including the Planning and Community Development Department and the Department of Health and Human Services' Director of Diversity, Equity & Inclusion. Arlington is a well-resourced community that has the staffing capacity to undertake substantive planning projects and offer a range of support services. The ability of the Town's departments and staff is likely not a major barrier to advancing fair housing.
- The structure of Town Meeting, its size, and its schedule create a form of representative democracy that demands participation from a relatively wide segment of Arlingtonians. However, the decision-making power resides with those who already live in town, who are not obligated to account for the needs of those who might want to live in town but are unable to. It also precludes the participation of those who are unable to attend multiple consecutive evening meetings due to childcare, work, or other obligations.
- Property tax bills can represent a significant expense for some Arlington residents, particularly those with low incomes and those on a fixed income, who are often seniors and people with disabilities. Instability in tax bills could put a burden on those residents and, when that burden disproportionately falls on protected classes, could represent a fair housing violation.

Town Resources

- Arlington has significant resources at its disposal to address access to fair housing opportunities, including federal Community Development Block Grants and HOME funds, as well as the Community Preservation Act. Some of those resources are already being spent on housing. A newly established Affordable Housing Trust Fund will serve as a centralized resource to collect and spend funds for affordable housing development.
- There could be more emphasis on fair housing concerns and housing access when spending these funds.

Arlington Housing Authority

- The Arlington Housing Authority (AHA) is the local public housing authority serving the community.
- The AHA owns and operates income-restricted affordable rental housing and administers rental housing vouchers that help to pay market rents for low-income households in private housing.
- The majority of AHA-owned units are designated for elderly or disabled residents, with one AHA development designated for low-income families.
- In recent years, Arlington has used Community Preservation Act funding to repair AHA properties.
- The AHA reports on race and ethnicity differently than the Census Bureau estimates used elsewhere in this plan. Nonetheless, rough comparisons show the racial and ethnic breakdown of elderly/disabled housing residents and Arlington's general population are similar, while the AHA's family housing residents are much more likely to be people of color than Arlington residents overall.
- The AHA's rental voucher holders face considerable barriers in the rental market, before even considering the effects of stigma. The waiting list is prohibitively long, available apartments are difficult to find once a voucher is obtained, and prospective tenants pay proportionally high rental application fees and face unreasonable screening measures. Voucher holders face "source-of-income" discrimination from some landlords and neighbors.
- AHA governance bodies need to reflect the population the AHA intends to serve. Currently, with a majority white male board of mostly non-tenants, governance does not appear representative.

Nonprofit Capacity

- Arlington benefits from a relatively robust field of nonprofits working on affordable housing production, compared to other towns of its size. The issue is not a lack of institutional capacity, but a lack of resources to acquire and develop affordable housing. By contrast, the ecosystem of nonprofits providing housing-related services is not very robust.

Housing Stock

Unrestricted (Private Market) Housing

- Like the region as a whole, Arlington's current housing stock does not meet demand for housing in the town. This lack of supply results in rising home prices, which can impact fair housing choice for some protected classes.
- Arlington has a relatively even split of housing units by number of bedrooms. This could enable residence by members of some protected classes, but the high proportion of single-family homes and older homes creates barriers in the form of high costs and inaccessibility for people with disabilities.
- Recent development in Arlington has created proportionally more units in multifamily buildings that are subject to both the Americans with Disabilities Act and Arlington's Inclusionary Zoning Bylaw. While new multifamily housing in town creates additional options for some protected classes, they do not typically create larger, family-sized units.

Deed-Restricted Affordable Housing Stock

- There are approximately 1,129 deed-restricted affordable housing units in Arlington, according to the state's official Subsidized Housing Inventory, while there are 5,355 low-income households.
- Existing affordable housing in Arlington is clustered in Arlington Center, Arlington Heights, and East Arlington. While its clustering in a few locations reinforces an historic trend of segregation, the locations of those clusters tend to have greater access to opportunity than single-family neighborhoods more reliant on automobile transportation.
- Arlington's affordable housing stock, with its small sizes and occupancy restrictions, favors smaller households, particularly elderly individuals and couples. Conversely, the existing stock of affordable housing does not suit the needs of family households with two or more children.

Housing Market

- Federally mandated data reporting on mortgage loans provides insights into lending by race/ethnicity and sex.
 - Lesser mortgage application volume and (largely) greater denial rates for loan applicants of color suggest a dynamic of exclusionary lending in Arlington, and that mortgage lending is an impediment to fair housing access.
 - Application volume rates by sex show women face continued obstacles to homebuying, upstream of the loan application process. This disparity could be due to endogenous factors in the homebuying process (such as discrimination by real estate agents or mortgage brokers), as well as external discriminatory factors, such as lower pay among women.
- Despite laws that regulate how the real estate industry can treat homebuyers and renters, academic research and qualitative reports demonstrate that discrimination against protected classes remains a feature of Arlington's housing market. Discrimination was reported against several protected classes, including race, national origin, source of income, family status, and disability status.
- Quantitative and qualitative indicate that seeking building improvements is an ongoing and underreported area of housing discrimination. Many tenants in protected classes attempt to address concerns themselves, "get by" without accommodations that they are entitled to, or simply leave (or never rent) these homes.
- Household-level displacement is occurring in Arlington, particularly as rental housing is repositioned for higher-income residents and as older residents seek lower-cost options as they age.

Public Opposition to Housing

- Community opposition to housing development in some communities is explicitly anti-development, but the arguments that lead to anti-development outcomes in Arlington are typically framed in non-housing terms, with the focus put on density, neighborhood character, green space, tree cover, and more. Opposition is often framed as occurring *despite* the opposition's support for housing generally.
- Even when individual concerns are legitimate, the net effect of opposition across projects is to create an environment that limits the opportunities for housing production (especially multifamily housing production). This effect disproportionately impacts protected classes.

- Increasingly, criticism to housing development also takes a position of being pro-Affordable-Housing generally, while finding current development inadequate. These sentiments could align with fair housing goals. However, without matched support of investment in deep affordability, this form of opposition could have the effect of further limiting fair housing access.
- Some members of the Arlington community have organized against policies that impact housing, especially attempts at zoning reform.
- Opposition is not universal, with support increasingly voiced for individual developments and zoning changes.

Fair Housing Education and Enforcement

- Enforcement of fair housing law is an impediment to fair housing choice in Arlington. The federal government has delegated most enforcement responsibility to the Massachusetts Commission Against Discrimination (MCAD), which has limited funding to pursue fair housing complaints across the Commonwealth.
- There is currently only one area nonprofit organization working on fair housing issues that regularly receives HUD funding: the Suffolk University Law School Housing Discrimination Testing Program. Until 2018, the Fair Housing Center of Greater Boston was another regular HUD-funding recipient, but it closed due to funding constraints. Greater Boston now lacks a standalone fair housing organization.
- The limited funding for both MCAD and nonprofits ensures that most enforcement will be reactive to complaints by victims of discrimination, rather than proactive. A reactive enforcement regime also requires wide education of fair housing rights, and a reasonable assumption that fair housing complaints will help and not hinder victims' efforts to secure safe and accessible housing.

Recommendations

This plan recommends eight broad strategies and 41 specific actions that will address impediments to fair housing in Arlington.

- **Strategy A: Increase awareness, education, and enforcement of fair housing laws.**
 - Pass a resolution that codifies Arlington's commitment to fair housing.
 - Through notices and marketing materials, offer fair housing education and enforcement reminders to real estate professionals operating in Arlington.
 - Continue holding public discussions on the impact of housing, the role of direct and indirect discrimination, and fair housing law.
 - Contract with MCAD, Metro Housing Boston, or Suffolk Law School's Housing Discrimination Testing Program to provide fair housing training, testing, and enforcement in Arlington specifically.
 - Work with Town boards and commissions as well as local nonprofits to disseminate educational materials on fair housing.

- **Strategy B: Alter Town governance structures and processes to address fair housing concerns.**
 - Add a Housing Working Group to the Arlington Human Rights Commission that focuses on fair housing issues. A liaison from the Department of Planning and Community Development for this working group should coordinate interdepartmental housing concerns and policy.
 - Create a protocol for responding to fair housing complaints or allegations of fair housing violations that is uniform across commissions. The protocol should designate a commission and a staff person with responsibility over the complaint process
 - Change the existing complaint-driven code enforcement system to one with regular, proactive inspections.
 - Explore alterations to the Town Meeting schedule and virtual participation methods that could make Town Meeting membership feasible for people who cannot join Town Meeting under the current procedures.
 - Institute Equity Impact Assessments for each item on the Town Meeting warrant, particularly housing and development related items.
- **Strategy C: Reform the Zoning Bylaw to encourage development that increases fair housing choice.**
 - Reduce the overall complexity of the Zoning Bylaw through recodification.
 - Allow duplex development by right in nominally single-family districts where two-family dwellings were historically commonplace.
 - Allow three-family, townhouse, and multifamily housing options by right in districts nominally meant for them.
 - In districts intended for higher densities, only allow single-family developments by Special Permit, if at all.
 - Amend restrictive dimensional and parking requirements for multifamily uses that make development infeasible in districts where those uses are appropriate.
 - Ensure zoning conforms with new state-level requirements for MBTA communities.
 - Adopt accessory dwelling units by right, and provide loans or grants to homeowners to develop those units in exchange for affordability restrictions.
 - Raise the threshold for EDR review, particularly on major corridors, replacing that review with performance standards for new developments.
 - Limit subjective criteria in discretionary reviews, eliminate review standards that perpetuate segregation, and define clear performance and design standards that projects will be reviewed against.
 - Consider distinct density and dimensional regulations for development that is 100% affordable housing.
 - Consider approvals by right for developments that are 100% affordable housing.
- **Strategy D: Use non-zoning techniques to encourage development that increases fair housing choice.**
 - Provide opportunities for housing developments that would trigger the Town's inclusionary zoning requirement.
 - Amend Arlington's local preference policy to be more welcoming to nonresidents.
 - Draft guidelines for addressing accessibility concerns on historic properties.
 - Institute clear conservation performance standards for properties in conservation areas zoned for multifamily uses. These standards, if followed, should ensure approval from the Conservation Commission.

- Plan for and permit new housing development that could address Arlington's share of the regional housing supply gap.
- Encourage new developments to include sufficient accessible units.
- Prioritize family-sized units for new affordable housing units, including purpose-built affordable housing and inclusionary units.
- **Strategy E: Use Town resources to create opportunities to meet housing need.**
 - Explore expansions to Arlington's tax exemption system that could apply to all income-eligible members of protected classes.
 - Set a minimum annual dollar amount and minimum percent of CPA funds (above the statutory minimum) and CDBG funds that will go to address housing needs.
 - Continue working with affordable housing providers and strategically using CPA and CDBG funds to create opportunities for HOME funding.
 - Assess alternative funding resources such as housing bonds.
 - Offer grants or low-interest loans to retrofit historic housing for accessibility.
- **Strategy F: Alter Arlington Housing Authority policy to increase fair housing choice.**
 - Explore the voluntary adoption of Small Area Fair Market Rents or exception payment standards.
 - Eliminate rental application fees for voucher holders.
 - Encourage landlords to follow HUD's guidance on the use of criminal backgrounds in screening tenants.
- **Strategy G: Protect tenants in protected classes from displacement.**
 - Bolster protections of tenants by requiring property owners to give significant notice to tenants when they are preparing to redevelop or sell a property and when they are planning to raise rents.
 - Advocate for passage of the Tenant Opportunity to Purchase Act at the state level. If it passes, support tenant purchasers through funding and technical support.
- **Strategy H: Encourage access to private housing by protected classes.**
 - Conduct targeted outreach and provide tenant application assistance and support to persons with disabilities, including individuals transitioning from institutional settings and individuals who are at risk of institutionalization.
 - Maintain a database of housing that is accessible to persons with disabilities.
 - Partner with one or more financial institutions and quasi-public institutions like the Massachusetts Housing Partnership to market available financing options to protected classes. Ensure those mortgage products are fair to borrowers.

Chapter I:

Introduction

The Arlington Fair Housing Action Plan addresses equitable access to housing choice in the Town of Arlington. Since 1968, all communities that receive funding from the US Department of Housing and Urban Development (HUD) have had an obligation to “affirmatively further fair housing.” The ultimate goal of fair housing efforts is to eliminate housing discrimination and residential segregation. This plan aims to advance these twin objectives through analysis of existing conditions and recommendations for concrete action the Town can undertake.

What is Fair Housing?

Fair housing laws seek to end residential discrimination and segregation based on characteristics that are often (though not always) personal and immutable. These characteristics are called “**protected classes**” in fair housing law. While the landmark fair housing legislation is the federal Fair Housing Act of 1968, there is actually a constellation of laws at the federal and state levels that protect against discrimination in housing, some of which specify additional protected classes.

Federal fair housing laws specify the following protected classes, meaning it is illegal to discriminate based on any of these characteristics:

- Race
- Color
- National origin
- Religion
- Sex
- Familial status (presence of children)
- Disability

Massachusetts laws add to that list the following characteristics:

- Age (40 and older)
- Marital status
- Genetic information
- Sexual orientation
- Gender identity
- Military service
- Arrest record

Housing providers, real estate professionals, and the Town of Arlington must not discriminate on any of the above bases, whether or not that discrimination is intentional. In fact, the Town must affirmatively work to end any discrimination and promote integration across the above characteristics.

Fair Housing Legal Framework

Fair housing laws make it illegal for people and businesses providing housing to discriminate based on protected classes. Because of fair housing laws, a landlord cannot exclusively rent their property to Christians, real estate brokers cannot steer Black clients away from predominantly White neighborhoods, and property managers must make reasonable accommodations for people with disabilities. All these practices and more would be illegal under both federal and Massachusetts laws. Fair housing law emerged in response to ongoing discrimination in housing against historically marginalized and oppressed groups, but the laws are written to prevent all such discrimination. The Town of Arlington does not have explicit Fair Housing laws or laws that otherwise reference housing and protected classes, but housing providers are still subject to federal and state laws. Though these laws are important to understand, the fact that the laws are in place does not mean discrimination no longer exists.

Federal Laws

Arlington is subject to numerous federal statutes and regulations that mandate fair housing practices. The Fair Housing Act (Title VIII of the 1968 Civil Rights Act) establishes fair housing standards nationwide, prohibiting discrimination by race, color, national origin, religion, sex, disability, and family status (presence of children). The act covers a wide number of practices, including discrimination in the sale or rental of housing, marketing of housing, mortgage lending, harassment, reasonable modification of a home for disability accessibility reasons, and interference with the exercise of fair housing rights. Virtually all housing in the United States is covered under the act.¹

The Fair Housing Act prohibits housing discrimination, whether intentional or not. The Supreme Court held in 2015's *Texas Department of Housing and Community Affairs v. Inclusive Communities Project* that the Fair Housing Act prohibits practices that have "disparate impact" on protected classes, regardless of intention. Victims of this kind of indirect discrimination must show a direct connection between a given policy and disparate impact on a protected class, and, if the defendants claim and courts find the policy serves a legitimate non-discriminatory purpose, that there is an alternative non-discriminatory way to achieve that purpose. Though these disparate impact claims could be harder to prove than direct discrimination, they are important in preventing the subterfuge of discriminatory practice into an apparently polite, neutral form.

Additional statutes, regulations, and executive orders extend fair housing requirements to activities funded by the federal government, create additional requirements related to certain protected classes (particularly people with disabilities), and extend some fair housing protections to additional protected classes (age groups, victims of domestic violence or sexual assault, and others). Many of these laws specifically deal with federally funded or federally coordinated programs. Fair housing requirements are a component of several high-profile federal

¹ https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview

laws, including the Americans with Disabilities Act, Title IX of the Educational Amendments Act, and the Violence Against Women Act.²

Massachusetts Laws

Massachusetts has its own fair housing law contained in M.G.L. Chapter 151B. The statute duplicates the prohibitions against discriminations laid out in federal law and states additional prohibited practices and protected classes. In addition to race, color, national origin, religion, sex, disability, and family status, Chapter 151B also covers gender identity, sexual orientation, age, presence of children, ancestry, marital status, genetic information, veteran or military status, and source of income (such as the use of Housing Choice Vouchers). Additionally, Massachusetts state law includes protections for victims of domestic violence, rape, sexual assault, or stalking. M.G.L. Chapter 186 Section 24 permits survivors to terminate a rental agreement or tenancy without incurring associated penalties, enabling them to leave unsafe housing situations.

Local Policy

Arlington lacks an explicit, codified local fair housing regime. Relevant portions of the town Bylaws, including Title V—Regulations Upon the Use of Private Property and the Zoning Bylaws, do not mention any protected classes or housing regulations related to fair housing. However, several municipal commissions—the Human Rights Commission, Disability Commission, and LGBTQIA+ Rainbow Commission—deal directly with fair housing and/or the needs of protected classes. Numerous local policies and procedures also relate to fair housing either directly or indirectly. Of course, the Town of Arlington is subject to federal and state fair housing laws. Taken together, Arlington’s implicit, de facto local fair housing regime is a useful starting point, but fair housing goals, policies, and procedures ought to be codified and clarified. Clear local policies and procedures will increase public understanding of fair housing and help ensure that fair housing concerns are addressed consistently.

Fair Housing in Flux

Fair housing has been a regular part of our regional discourse for decades, especially as it relates to race in cities and suburban areas. The history of the fair housing movement in greater Boston is complex and controversial. There was rarely consensus amongst advocates and policymakers on the value of fair housing efforts. Even when community efforts aligned behind fair housing, symbolic wins were often prioritized over material progress on fair housing goals. In 2020, the reemergence of mass protests and the Movement for Black Lives renewed the public conversation on discrimination, inequality, and segregation in housing. Fair housing also became a political cudgel in the 2020 presidential election.

These public debates followed a period of significant flux in fair housing law. The 1968 Fair Housing Act requires that all communities receiving HUD funds (such as Arlington) “affirmatively further fair housing” (AFFH), though the law gives no definition for what that entails. Since 1988, HUD has accepted the production of an “Analysis of Impediments to Fair Housing Choice” (AI) as fulfilling the AFFH requirement. The rules around the format and content of an AI were loose, and in 2009, HUD found many communities’ AIs were out of date or unacceptable.

² https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_and_related_law

To address this and other issues, HUD finalized the first regulations to implement the AFFH obligation in 2015. The rules required communities that receive HUD funding to regularly draft an “Analysis of Fair Housing” (AFH) as part of the HUD granting process. The AFH is a highly regulated document with clear rules for content and regular updates. It required communities to examine more thoroughly the existence of residential discrimination and segregation, and (in theory) act to address those concerns. However, implementation of the 2015 rules and the AFH plan were suspended by HUD in 2018 as a new administration sought to reverse course. Currently, an AI is once again the required document to meet the AFFH obligation under the Fair Housing Act.

This Fair Housing Action Plan is meant to fulfill the requirements of an AI, while supporting the spirit of the AFFH rule and acknowledging, though not fulfilling, the standards of an AFH.

Planning Process

The Arlington Fair Housing Action Plan was developed from 2019 to 2021 by the Town of Arlington working with the Metropolitan Area Planning Council (MAPC) and the Lawyers’ Committee on Civil Rights (LCCR). The plan was funded by the Town of Arlington through the Community Development Block Grant Program and through MAPC’s technical assistance program. In addition to data analysis, the planning team conducted interviews and focus groups with Arlington residents, Town staff, Housing Authority staff, school officials, nonprofit officials, and service providers. Summaries of the engagement process are available in [Appendix F: Engagement Summaries](#) on page 132.

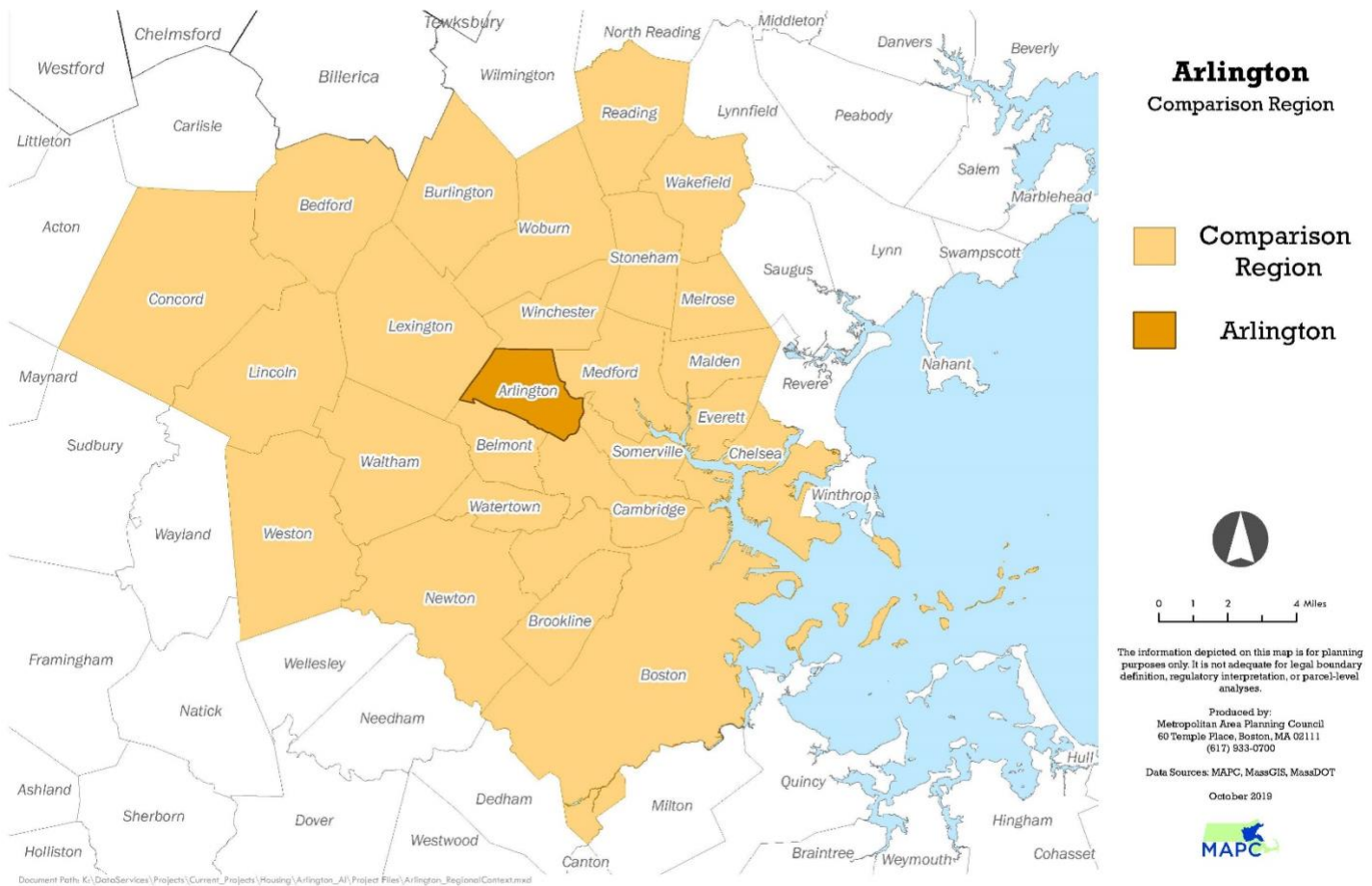
Data Sources

This plan uses a blend of qualitative and quantitative data to understand the state of fair housing choice in Arlington. Qualitative insights were drawn from the public engagement process for this plan, which included a mix of focus groups and interviews with Arlington residents, housing providers, and other stakeholders. Most quantitative insights were drawn from the US Census Bureau’s American Community Survey, 2013-2017 5-year estimates, as well as a handful of other sources. An in-depth discussion of quantitative data sources is available in [Appendix A: Quantitative Data Sources](#) on page 106.

Comparison Region

One method of understanding Arlington is to compare statistics for the town to other municipalities. Some parts of this plan use this approach by defining a comparison region of the 24 municipalities within a 20-minute drive of Arlington’s border. This comparison region is intended to capture the diversity of municipalities around Arlington. The map below depicts the municipalities in the comparison region.

Figure 1: Municipalities in the Comparison Region



In addition to comparing Arlington to individual municipalities, this plan compares Arlington to the comparison region as a whole in some instances. In those cases, aggregated statistics for the comparison region were calculated by summing the counts of a given statistic (for example, the number of people identifying as Latino) for each municipality in the comparison region and dividing that sum by the region total of the relevant denominator (in this example, the total population). The margins of error for the aggregations were calculated based on instructions from the Census Bureau.

This aggregated statistic is an important addition to the analysis because it reflects what representation would look like provided an even distribution of all populations across the region, rather than how each municipality ranks relative to one another. Because the aggregated statistic accounts for an entire population in the region without considering municipal borders, any discrepancy between this figure and individual municipal statistics indicates some level of spatial segregation. It is important to note, however, that the aggregated statistic is still a product of the municipalities selected for the comparison region; including additional municipalities or excluding others would shift its value.

Format

This remainder of this document is divided into the following chapters:

- [“Chapter II: Community Profile”](#) analyzes the Town of Arlington’s demographics and housing stock, with comparisons to a set of nearby communities.
- [“Chapter III: Fair Housing Factors and Recommendations”](#) looks across the public and private sectors at policies, programs, laws, institutions, organizations, and market conditions that either impede fair housing choice and/or could address fair housing needs. Recommendations for action are presented in response to some of these factors.
- [“Chapter IV: Collected Recommendations”](#) consolidates recommendations from the previous chapter and lists implementing partners.
- [Appendices](#) provide supplemental and supporting information.

Chapter II:

Community Profile

Can members of protected classes access housing in Arlington? This is the first and most fundamental question in assessing fair housing choice. This section uses quantitative demographic data to discuss representation of nine protected classes, and, in some cases, characteristics of these groups in Arlington. For each protected class with available demographic data, this chapter assesses how many members live in Arlington, how this figure compares proportionally to other municipalities, and how it compares to the comparison region as a whole (through what is called the “aggregate statistic”).

As part of this analysis, this plan considers the financial characteristics of these protected classes. While low-income households are not themselves a protected class, many protected classes experience substantially lower average income levels and higher poverty rates than the general population—an implicit barrier to accessing housing options in an expensive region such as greater Boston. For this reason, this plan evaluates financial characteristics of classes to understand where housing affordability might disproportionately impact members of protected classes.

Unfortunately, due to data limitations, not all protected classes could be analyzed as part of this plan. No robust data exists on color, religion, sexual orientation, gender identity, or genetic information.³ While this part of the plan cannot analyze protected classes related to those characteristics, they are nonetheless protected under fair housing law and other parts of the plan address fair housing choice for those groups.

Overall Population

Characteristics of the general population in Arlington provide a baseline with which to compare the characteristics of each protected class. The estimated population of Arlington is 44,992 (± 53). These individuals lived in 18,632 (± 393) households, with an average household size of 2.5. The median household income was \$103,594 ($\pm \$4,898$); approximately 5% ($\pm 1\%$) of Arlington’s population lives in poverty. Note that these numbers include those belonging to one or more protected classes.

³ Two categories, color and gender identity, may be conflated with other categories (race and sex, respectively) due to fluid and socially contingent nature of these categories, as well as the data collection methods used by the US Census Bureau. For the purposes of this plan, color and gender identity are treated as having no viable data source.

Disability Status

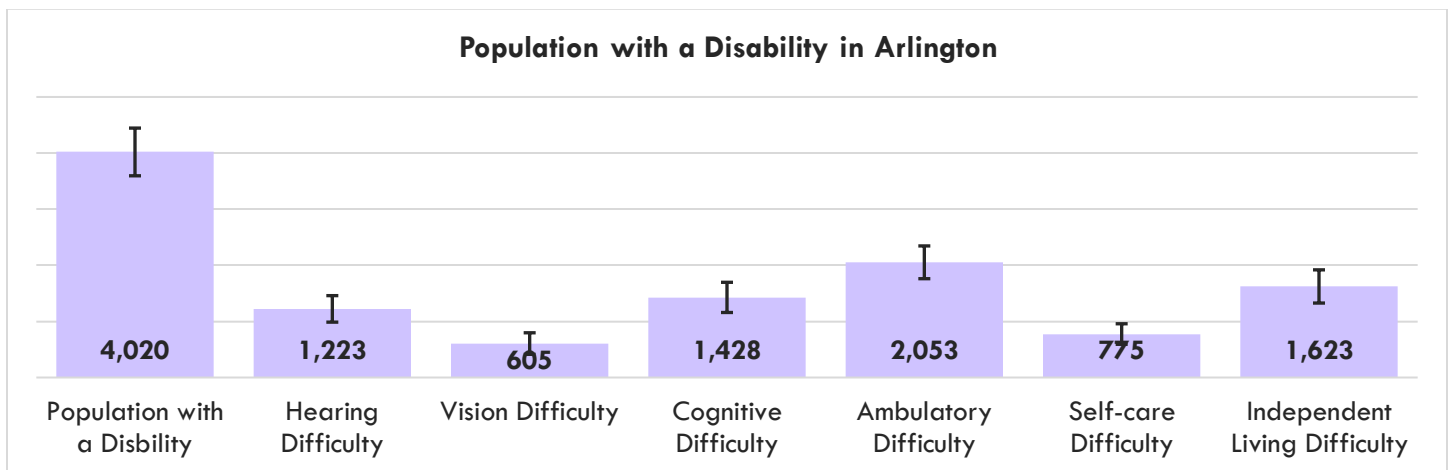
Disability status can have significant implications for a resident's housing needs. Residents whose disability precludes them from driving may need housing near public transit or other alternative transportation. Residents with disabilities affecting their movement may need stair-free units that can be accessed by an elevator or ramp. If they use a mobility assistance device such as a wheelchair or a walker, they may require wider doorways or larger maneuvering clearances. Residents with a cognitive disability may need supportive housing or another group living situation. Residents with any type of disability may require minor modifications to a unit or to building policies (for example, a policy prohibiting pets in building common areas might be amended to allow for service animals) in order to live in the unit. In an area with older housing stock, all these factors can create significant barriers for those with disabilities to access housing that meets their needs.

Respondents who report any one of the following six disability types are considered by the Census Bureau to have a disability:

1. Hearing difficulty: Deaf or having serious difficulty hearing
2. Vision difficulty: Blind or having serious difficulty seeing, even when wearing glasses
3. Cognitive difficulty: Because of a physical, mental, or emotional problem, having difficulty remembering, concentrating, or making decisions
4. Ambulatory difficulty: Having serious difficulty walking or climbing stairs
5. Self-care difficulty: Having difficulty bathing or dressing
6. Independent living difficulty: Because of a physical, mental, or emotional problem, having difficulty doing errands alone such as visiting a doctor's office or shopping

About 9% ($4,020 \pm 425$) of Arlington's population identifies as having one of the six disabilities described above. Of these individuals, 2,053 (± 292), or 51% of those with disabilities, identified as having an ambulatory difficulty, 1,623 (± 296) identified as having an independent living difficulty; 1,428 (± 269) identified as having a cognitive difficulty, and 1,223 (± 236) identified as having hearing difficulty. A relatively smaller share identified as having a vision difficulty (605 ± 192) and/or a self-care difficulty (775 ± 183).

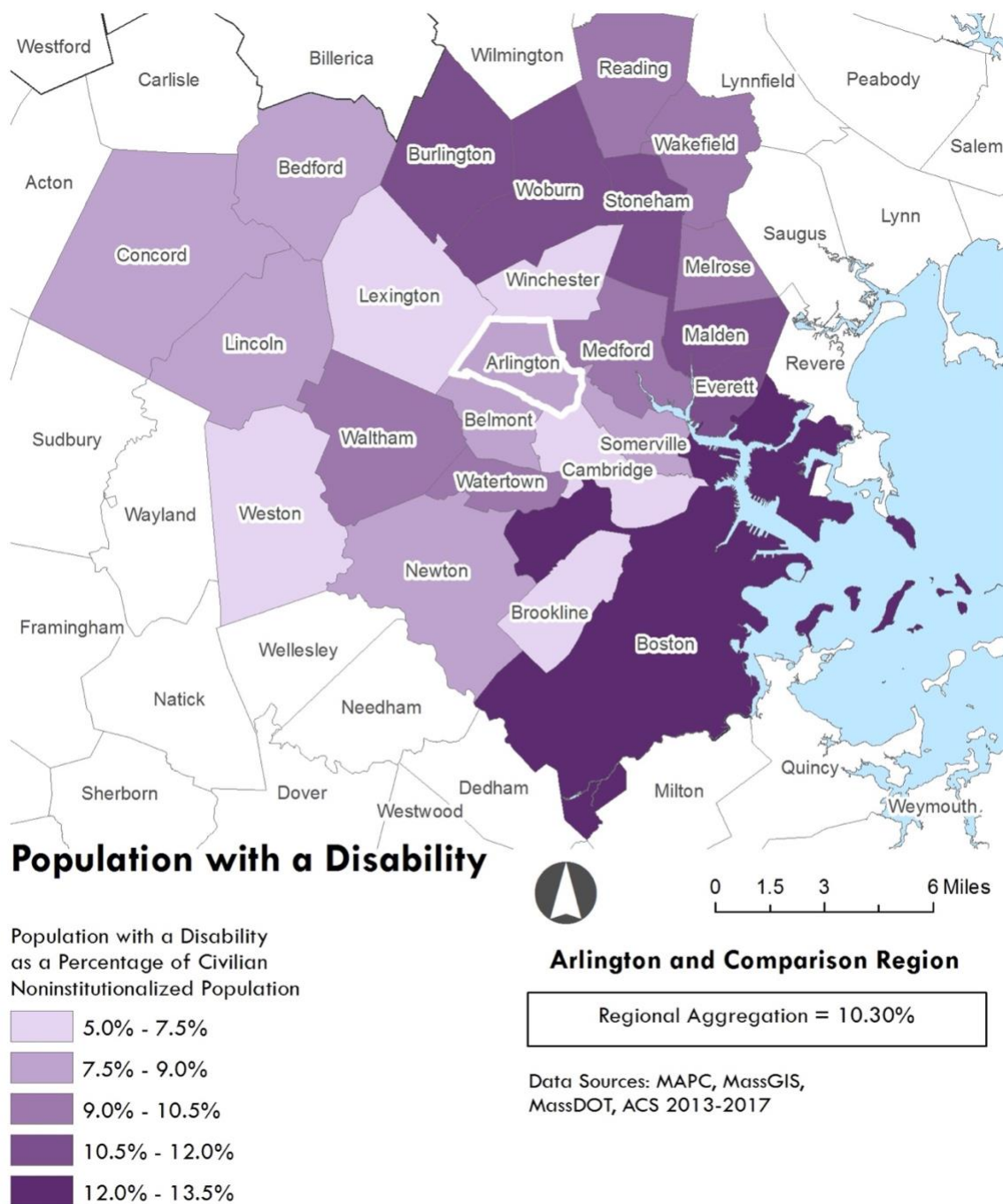
Figure 2: Population with a Disability in Arlington



By percentage of population with a disability, Arlington is in the middle of the comparison region, which ranges from 13% ($\pm 1\%$) in Chelsea to 6% ($\pm 1\%$) in Winchester. Arlington is just below the aggregated statistic for the

comparison region of 10%, meaning that Arlington has roughly the same proportion of residents with a disability as the larger comparison region. Boston has the highest share of persons with disabilities, and the municipalities to the north of Boston generally have a higher share than those to the west. Outside of a high concentration in Boston, which has a high degree of access to transit and services, it is not clear why this pattern exists.

Figure 3: Percentage of Population with a Disability



The percentage of the population in Arlington and the comparison region with a disability has not changed substantially since the 2005 to 2009 American Community Survey. The 5-Year Estimates for this period are 9% ($\pm 1\%$) for Arlington and 10% for the aggregated statistic for the comparison region.

Financial Characteristics

Median earnings of the noninstitutionalized population with a disability in Arlington was \$32,500 ($\pm \$17,254$),⁴ while median earnings of the noninstitutionalized population *without* a disability was nearly double that at \$61,790 ($\pm \$2,967$).⁵ While the margins of error make it difficult to draw specific conclusions, it is fair to say that residents with a disability earn, on average, substantially less than those without a disability.

Median earnings of the noninstitutionalized population with a disability in Arlington places the town towards the center of the comparison region (9/21, ranked highest to lowest income), which ranges from \$61,167 ($\pm \$53,895$) in Concord to \$17,932 ($\pm \$40,945$) in Waltham.⁶ Though these numbers offer a general indication of median earnings across the municipalities in the comparison region, note that the range of possible incomes for each municipality is so large that they comprise the range of possible incomes for the other municipalities. For this reason, less attention should be paid to each municipalities' ranking.

Of the noninstitutionalized population with a disability in Arlington, 17% ($\pm 6\%$) were living in poverty, which is about ten percent more than the overall population of Arlington living in poverty (5% $\pm 1\%$) but about ten percent less than the aggregated statistic (25% $\pm 1\%$) for the comparison region. In other words, while the share of disabled individuals living in poverty is far less in Arlington than in the region, it is still far greater than the share of individuals in Arlington living in poverty without a disability.

Family Status

Family status—or the presence of children—is a major factor in defining housing needs. Households reporting at least one child under 18 years old are considered by the Census Bureau as households with children. Depending on the number of children, a family may need a larger unit with more bedrooms. Families may choose to prioritize housing in locations served by good schools or with access to programs and resources. Families with children can also experience a particular form of housing discrimination: in addition to the perception that children may be noisy or disturb other tenants, if a family with a child under six years old will be living in a unit that was built before 1978, the owner must remove or mitigate lead paint. While financial assistance is

⁴ The large margin of error associated with the median earnings for the noninstitutionalized population with a disability in Arlington ($\pm \$17,254$) likely reflects both the smaller size of this population and a wide range of earnings. The upper bound of the median earnings estimate is \$49,754 ($\$32,500 + \$17,254$) – still less than the lower bound of the median earnings estimate for the noninstitutionalized population without a disability, \$58,823 ($\$61,790 - \$2,967$). This suggests that individuals with a disability earn less, and thus have fewer housing options, than those without a disability.

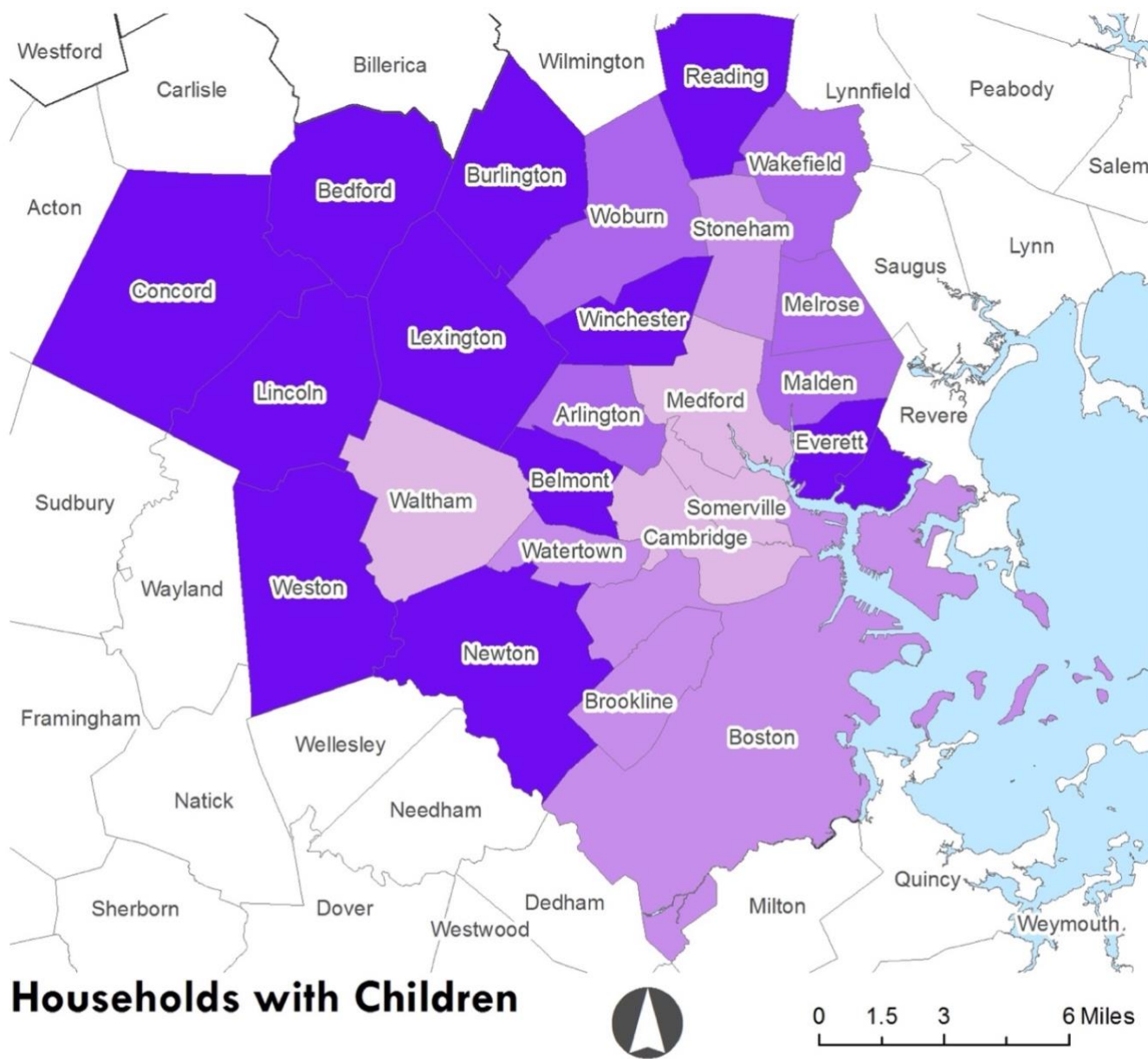
⁵ Note that this number describes earnings per person, and is different from median household income, which includes earnings from all members of a household.

⁶ Bedford, Lincoln, Reading, and Weston all had median earnings values of \$0, with margins of error ranging from \$64,063 to \$88,372.

available for this purpose, some landlords may (illegally) decline to rent to families with young children to avoid performing lead paint mitigation.

Of the 18,632 (± 393) households in Arlington, 31% ($5,741 \pm 243$) have children. By percentage of households with children, Arlington is in the middle of the comparison region, which ranges from 43% ($\pm 1\%$) in Lexington to 18% ($\pm 1\%$) in Somerville. The aggregated statistic for the region was 26%, meaning that more families in Arlington have children than in the comparison region as a whole. A greater share of families with children lives in the more suburban communities to the west of Boston and in the cities of Everett and Chelsea. Except for those two cities, the municipalities with the highest share of households with children roughly align with those whose school systems have the highest graduation rates which may at least partially account for this pattern. (See [Access to Opportunity](#) on page 43 for more information.)

Figure 4: Households with Children



National Origin

National origin is defined as the region or country in which a person was born or from which their ancestors came. It can also include perceived national origin (for example, if a person is assumed to be from a particular area because of accent or dress). Although discrimination based on language is not necessarily equivalent to discrimination based on national origin, language requirements can be related to national origin discrimination⁷ and thus a discussion of language is included in this section. This plan used data on foreign-born populations to evaluate national origin. The Census Bureau defines foreign-born populations as including anyone who is not a U.S. citizen at birth, including those who become U.S. citizens through naturalization.

Of the 44,992 (± 53) people in Arlington, about 19% ($8,383 \pm 676$) are foreign-born. This figure places Arlington towards the center of the comparison region by percentage, which ranges from 46% ($\pm 2\%$) in Chelsea to 8% ($\pm 2\%$) in Wakefield. The aggregated statistic for the region was 26%; in other words, the share of foreign-born residents across the entire context region is moderately higher than that in Arlington.

Language Spoken at Home

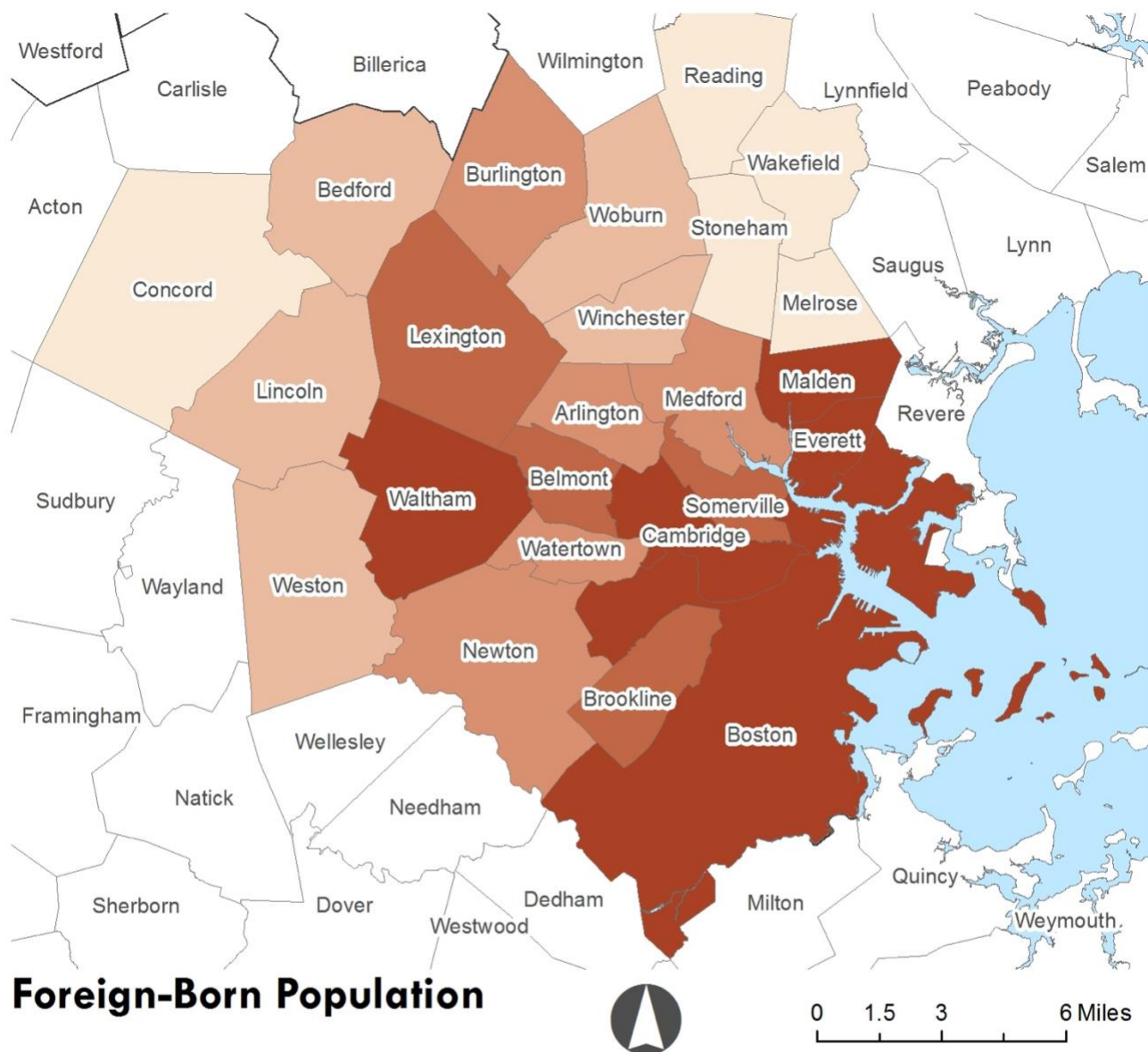
Roughly 2% ($\pm 1\%$) of Arlington residents speak a language other than English at home and say they do not speak English well. In Arlington, individuals who identify as not speaking English well mostly speak Chinese (506 ± 160), followed by French (295 ± 221), Greek (261 ± 124), and Spanish (222 ± 134). When ranking communities in the comparison region on the percent of residents who speak a language other than English at home and do not speak English well (based on self-reporting), Arlington fell towards the low end of center (17th of 25, ranked highest to lowest share). Arlington's score is notably lower than the aggregated statistic for the comparison region 5%.

Financial Characteristics

The median household income for foreign-born residents of Arlington is \$55,908 ($\pm \$6,250$), which lands Arlington in the lower third of municipalities in the comparison region. The median income for foreign-born residents in these municipalities ranges from \$24,357 ($\pm \772) to \$101,752 ($\pm \$5,538$). However, the median income for foreign-born residents of Arlington is about half that of the median household income for Arlington overall ($\$103,594 \pm \$4,898$).

⁷ U.S. Department of Housing and Urban Development. "Office of General Counsel Guidance on Fair Housing Act Protections for Persons with Limited English Proficiency," September 15, 2016. Accessed at <https://www.hud.gov/sites/documents/LEPMEMO091516.PDF>

Figure 5: Foreign-born Population

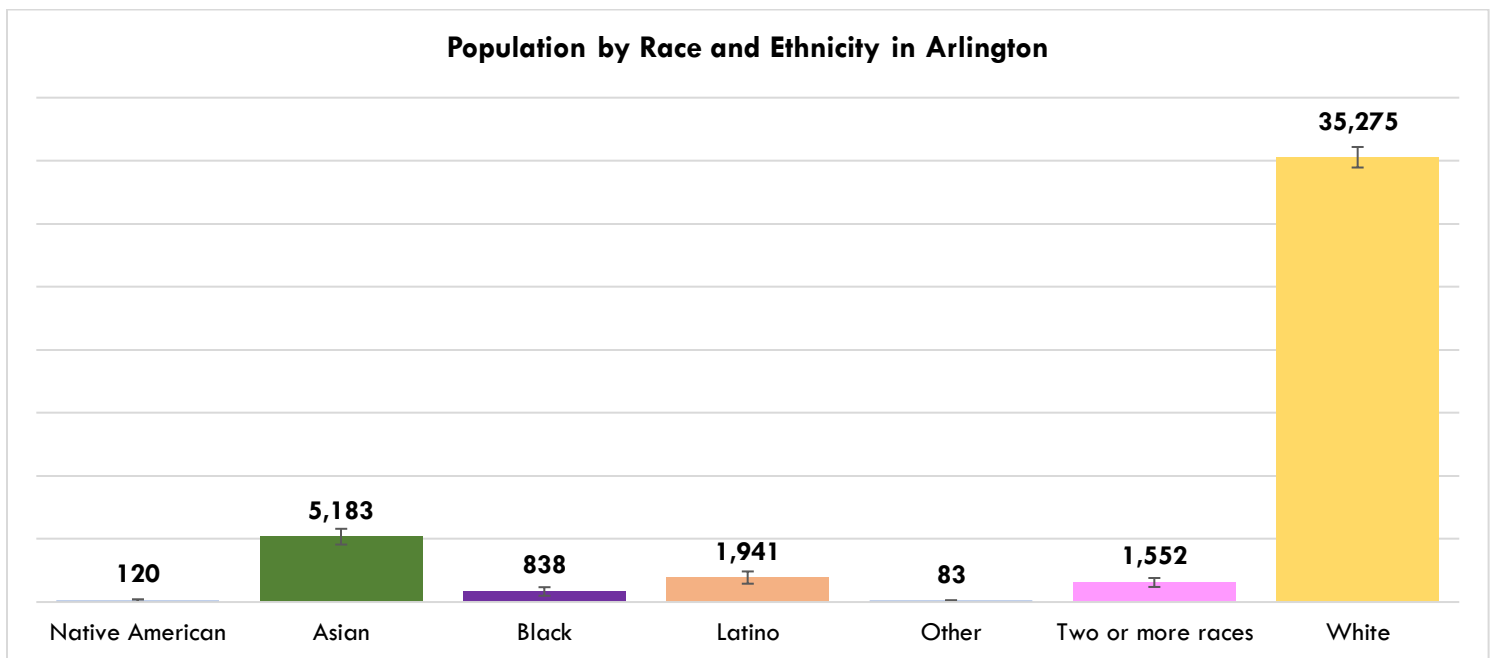


Race and Ethnicity

While the housing needs of otherwise similar households may not vary across different races and ethnicities, race and ethnicity are critical to consider in a fair housing discussion because of this country's past and present experiences of segregation. This plan uses data on race and ethnicity from the US Census Bureau, which collects data from households that self-report their racial and ethnic identity.⁸

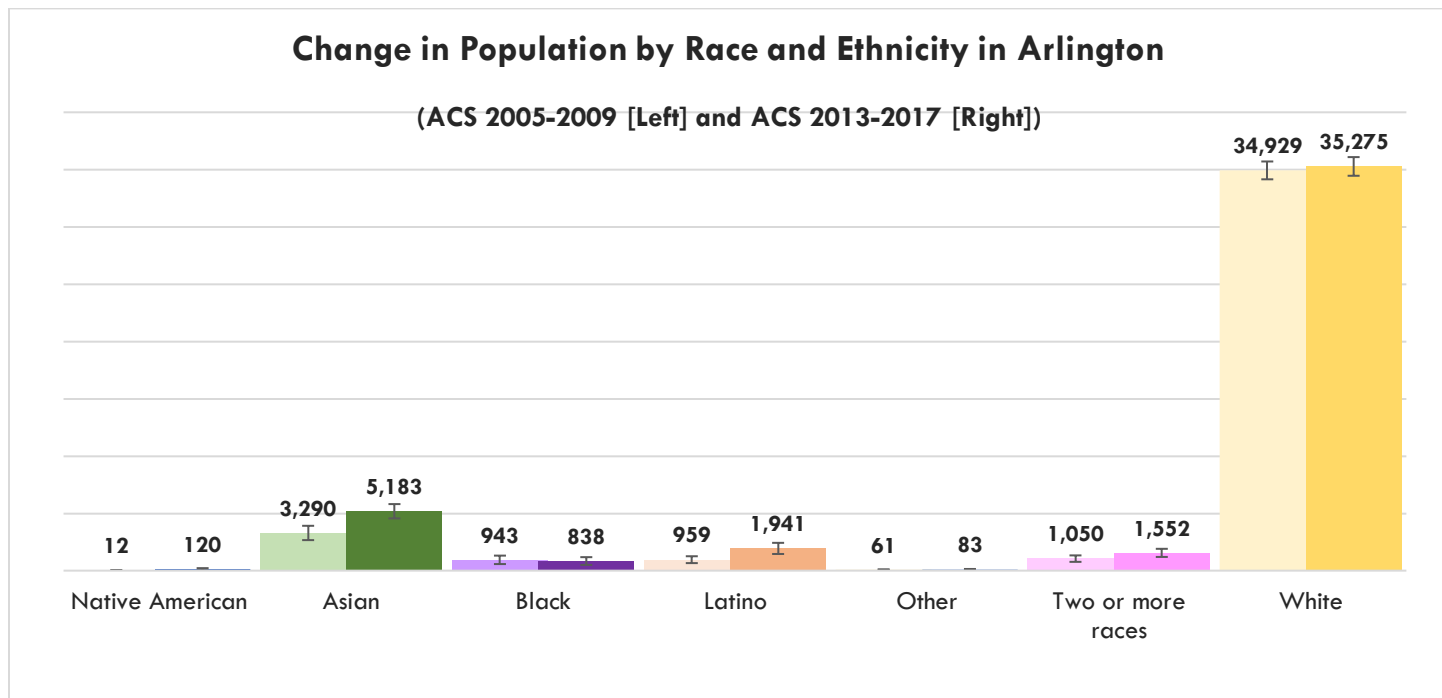
Of the 44,992 (± 53) people in Arlington, roughly 78% (35,275 \pm 815) are White, 12% are Asian, 4% are Latino, 2% are Black, 3% are two or more races, less than 1% are Native American, and less than 1% are some other race. The proportion of White people in Arlington has grown smaller over time. White people made up 85% of Arlington's population in 2009-2013. The total number of people in most racial and ethnic groups increased during this time, however. The Asian population increased by about 1,900 (58% growth), the Latino population increased by about 1,000 (100% growth), and the White populations increased by about 350 (1% growth). However, the Black population decreased by about 100 people, a change in population size of about 11%. Put another way: it is likely that one out of every ten Black residents moved out of Arlington during this time period.

Figure 6: Population by Race and Ethnicity in Arlington



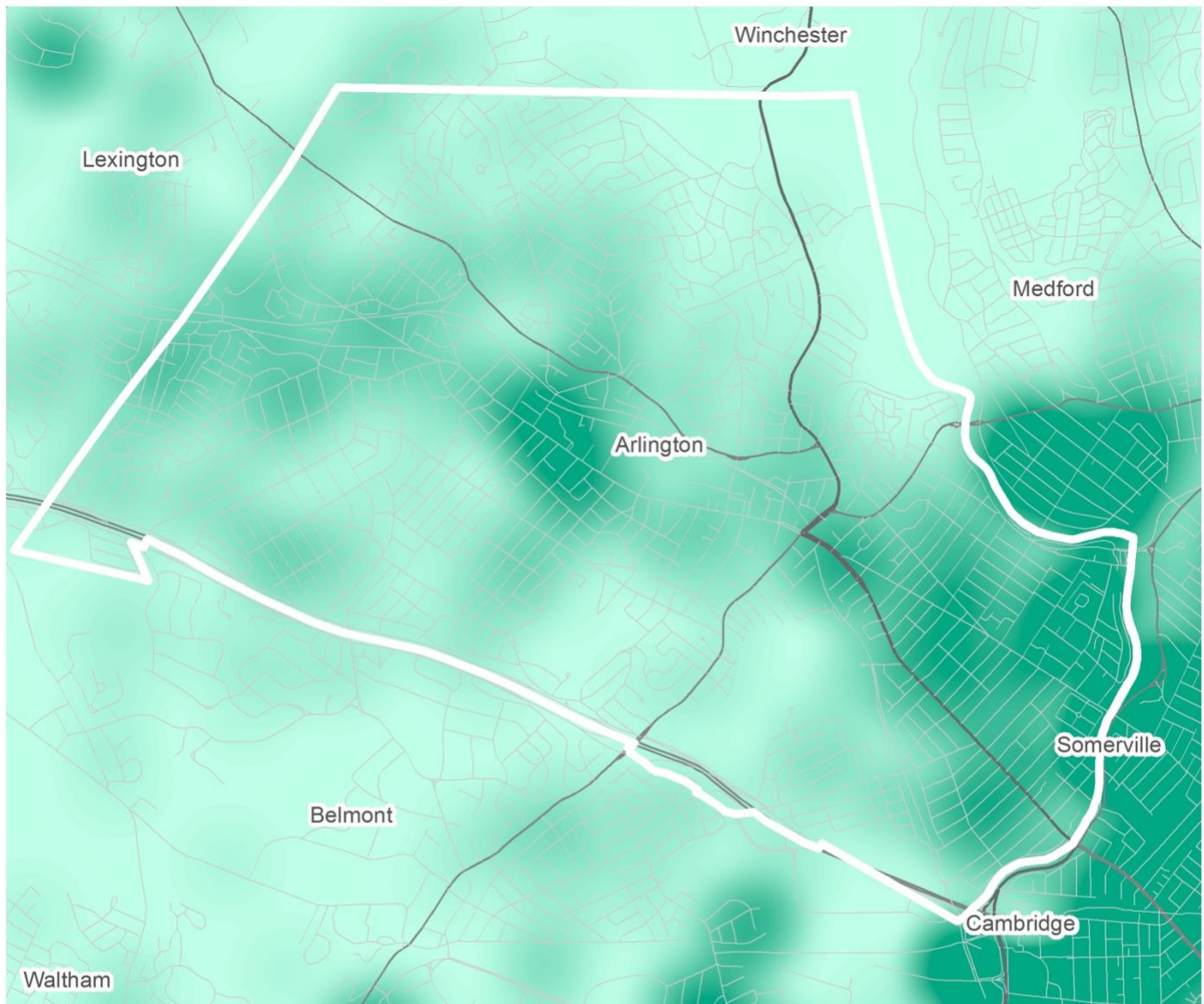
⁸ Though data is self-reported, the Census Bureau provides categories for households to choose from, and this racial and ethnic categorization is a matter of ongoing debate, controversy, and evolution. This report uses short-hand terms for racial and ethnic designations when discussing data provided by the US Census Bureau and other government agencies, while acknowledging these short-hand terms are not the Census Bureau's technical terms, nor are they accurate portrayals of the racial and ethnic identities of all the people they describe. The term "Latino" is used here in place of the Census Bureau's "Hispanic or Latino" ethnicity descriptor and data for this group include Latino people of all races. This report also uses "Black" instead of the Census Bureau's "Black or African American," "White" instead of "Caucasian or White," and other short-hand terms. For all racial categories, estimates only include non-Latino people, with Latinos grouped as a separate category regardless of race. The term "persons of color" here includes persons who identify as: Native American; Asian; Black; Latino; Other Race; Pacific Islander; or Two or More Races in Census Bureau data. In other words, it includes all persons who do not identify exclusively as White.

Figure 7: Change in Population by Race and Ethnicity in Arlington (ACS 2005-2009 and 2013-2017)



The map below uses data from the 2010 Decennial Census to show the approximate distribution of Arlington residents of color by their home location. To preserve anonymity of individual residents, data on residents' race and ethnicity by block was abstracted using a density algorithm, which shows the likelihood a resident of a given race or ethnicity lives at a given location. This map suggests that residents of color are more likely to live along the Massachusetts Avenue corridor than in the northern or southern portions of town. There is a cluster of residents of color near the eastern border of Arlington, near Medford and Somerville. The residents of color are particularly concentrated in the area that comprises Menotomy Manor, a 175-unit property owned by the Arlington Housing Authority. This pattern is repeated across the border in Somerville at Clarendon Hill Towers, which is owned by Somerville Housing Authority.

Figure 8: Distribution of Residents of Color



Distribution of Residents of Color



0 0.2 0.4 0.8 Miles

Density of residents of color



Relatively High*

Relatively Low*

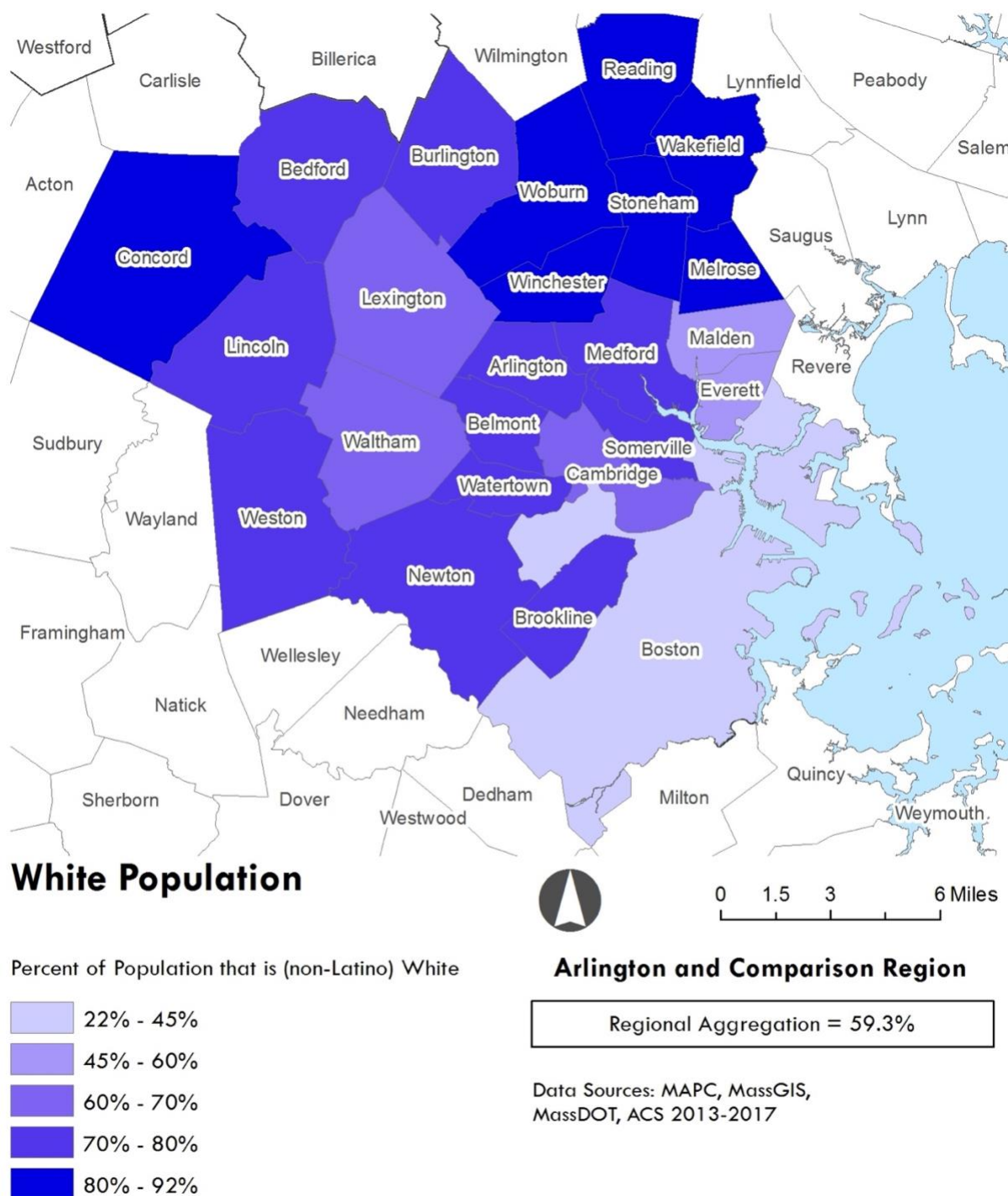
Arlington and Comparison Region

Data Sources: MAPC, MassGIS, MassDOT, US Census 2010.

* To produce this map, data on residents of color by Census Block was processed using a Kernel Density algorithm in order to preserve anonymity of residents. The numeric outputs of this analysis are not meaningful on their own, but the relative values provide information on spatial distribution.

By percentage of White residents, Arlington falls towards the high end of center (9th of 24, ranked highest to lowest share) of the comparison region, which ranges from 92% ($\pm 2\%$) in Wakefield to 23% ($\pm 2\%$) in Chelsea. The aggregated statistic for the region was 59%; at 78%, Arlington has a significantly higher share of White residents than the comparison region overall.

Figure 9: Percentage of White Population



There is a wide range in the percentage of Asian, Black, Latino residents throughout the comparison region. This diversity reflects broader segregation across the region and indicates that the greater attention should be placed on the aggregated statistic for the region, highlighted in blue in the table below.

Table 1: Percentage of Asian, Black, and Latino Residents

% Asian	% Black	% Latino
27.2 (Lexington)	22.7 (Boston)	65.9 (Chelsea)
23.6 (Malden)	19.3 (Everett)	19.4 (Boston)
16.0 (Burlington)	16.3 (Malden)	13.9 (Waltham)
15.7 (Cambridge)	12.8 (Comparison Region)	13.6 (Comparison Region)
15.7 (Brookline)	10.1 (Cambridge)	9.9 (Somerville)
15.5 (Belmont)	8.6 (Medford)	9.5 (Watertown)
14.4 (Bedford)	6.0 (Waltham)	9.3 (Malden)
14.3 (Newton)	6.0 (Somerville)	8.8 (Lincoln)
12.5 (Winchester)	5.9 (Chelsea)	8.8 (Cambridge)
11.9 (Waltham)	5.7 (Woburn)	6.4 (Concord)
11.5 (Arlington)	5.1 (Burlington)	5.9 (Brookline)
11.0 (Comparison Region)	3.6 (Melrose)	5.5 (Newton)
10.7 (Weston)	3.4 (Concord)	5.3 (Medford)
10.3 (Lincoln)	3.3 (Lincoln)	4.8 (Belmont)
9.7 (Medford)	3.1 (Newton)	4.3 (Arlington)
9.6 (Somerville)	3.1 (Bedford)	4.1 (Weston)
9.4 (Boston)	3.0 (Brookline)	4.0 (Bedford)
8.1 (Watertown)	2.1 (Stoneham)	3.9 (Wakefield)
6.9 (Woburn)	2.0 (Watertown)	3.5 (Woburn)
6.5 (Everett)	1.9 (Arlington)	3.3 (Stoneham)
6.3 (Concord)	1.7 (Weston)	3.3 (Melrose)
6.1 (Melrose)	1.6 (Belmont)	22.9 (Everett)
4.6 (Reading)	1.1 (Wakefield)	2.1 (Lexington)
3.4 (Chelsea)	0.7 (Winchester)	2.0 (Reading)
2.6 (Stoneham)	0.7 (Reading)	2.0 (Burlington)
2.0 (Wakefield)	0.7 (Lexington)	1.6 (Winchester)

Asian

Approximately 12% ($\pm 1\%$) of Arlington's population identifies as Asian, which places the municipality slightly higher (11/25, ranked highest to lowest share) than most of the other municipalities in the comparison region. The percentage of Asian people in Arlington is aligned with the aggregated statistic for the region, 11%.

Black

Approximately 2% ($\pm 1\%$) of Arlington's population identifies as Black, which places the municipality in the lowest quarter (20/25, ranked highest to lowest share) of municipalities in the comparison region. If Arlington reflected

the overall population of the region, about 13% of Arlington's population would fall into this demographic, suggesting that this population should be a focus of the Fair Housing Plan.

Latino

Approximately 4% ($\pm 1\%$) of Arlington's population identifies as Latino, which places the municipality near the center (14/25, ranked highest to lowest share) of the other municipalities in the comparison region. However, like Black populations, the percentage of Latino residents is well below the aggregated statistic of 14%, suggesting that this population should also be a focus of the Fair Housing Plan.

Financial Characteristics

In the aggregated statistic for the comparison region, the median household income was \$96,672 ($\pm \$4,095$) for White households. Asian household had a median household income about \$20,000 less than this (\$78,332 $\pm \$11,083$) and Black households and Latino households had a median household income less than half of this amount: \$43,060 ($\pm \$5,225$) for Black households and \$43,882 ($\pm \$6,286$) for Latino households. The substantial differences in median household income across race and ethnicity in the comparison region mean that people of color, particularly people that are Black or Latino, cannot afford the same range of housing options as those that are White. This is likely a factor in their lower representation in Arlington. (See Affordability on page 42 for more information on this subject.)

People of color living in Arlington, in contrast with the rest of the region, earn more than Arlington residents that are White. The median household income for White households was \$100,495 ($\pm \$5,490$), compared with \$124,750 ($\pm \$22,701$) for Asian households; \$102,660 ($\pm \$66,516$) for Black households; and \$106,548 ($\pm \$17,933$) for Latino households.

Poverty rates display similar trends to median household income. Across the entire comparison region, 8% ($\pm 1\%$) of the White population lives in poverty, while 19% ($\pm 1\%$) of the Asian population, 23% ($\pm 1\%$) of the Black population, and 26% ($\pm 1\%$) of the Latino population live in poverty. As with median household income, in Arlington there is not a large difference between the percentage of population in poverty by race and ethnicity: 5% ($\pm 4\%$) of the Black population, 6% ($\pm 3\%$) of the Latino population, and 4% ($\pm 1\%$) of the White population lives in poverty. The exception to this is the Asian population, where 9% ($\pm 4\%$) of the population lives in poverty.

Tenure

Looking at tenure by race and ethnicity in the comparison region reveals stark disparities. About 47% ($\pm 1\%$) of White households rent in the aggregated comparison region. That number rises to 58% ($\pm 1\%$) for Asian households, 71% ($\pm 1\%$) for Black households, and 79% ($\pm 1\%$) for Latino households.

In Arlington, 36% ($\pm 3\%$) of White households rent, about ten percent less than the comparison region. The percentage of Asian households that rent in Arlington is consistent with the aggregated statistic for the comparison region (60% $\pm 9\%$), as is the percentage of Black households that rent (69% $\pm 28\%$). Conversely, the percentage of Latino households that rent in Arlington, however, is about fifteen percentage points less than in the comparison region: 54% ($\pm 18\%$). These numbers are notable given that the median income for Black, Latino, and Asian households is substantially higher in Arlington than in the context region. The steady percentage

of renters for Black and Asian households, despite their higher incomes, suggests that there are additional barriers to homeownership beyond income, potentially including race- and ethnicity-based discrimination in the real estate and mortgage lending industries. For more information on these practices, see [Housing Market](#) on page 89.

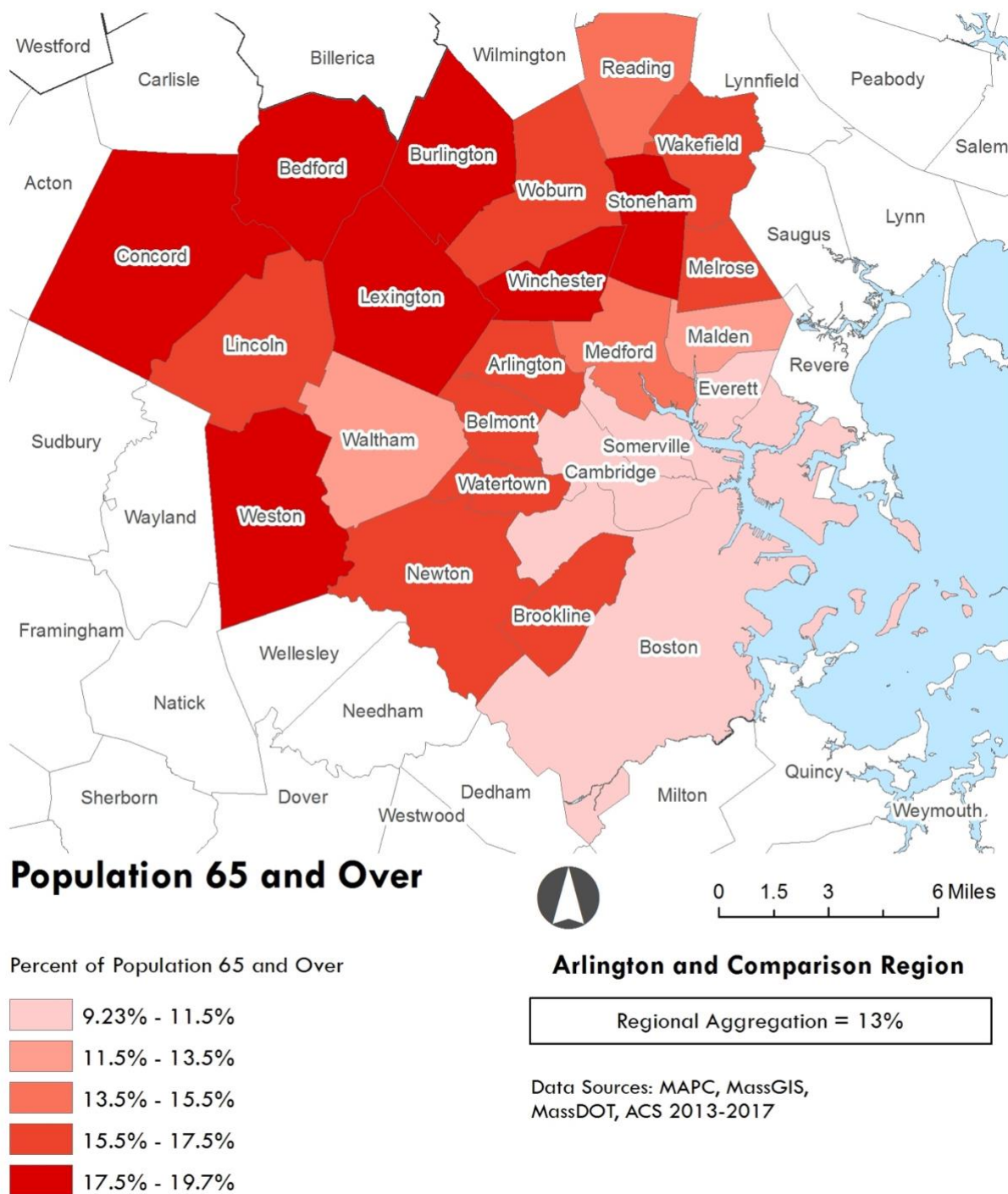
Age

While discrimination based on any age is illegal in Massachusetts, this plan considered specifically the population age 65 and over. Households with children aged 18 and younger are discussed under the Family Status section. At 16%, the percent of people age 65 and over in Arlington is about in the middle of the comparison subregion, which ranges from as many as 20% ($\pm 3\%$) to as few as 9% ($\pm 1\%$). The aggregated statistic was 13%, suggesting that Arlington hosts more seniors on average than the rest of the region. The highest shares of seniors are in the suburban communities to the north and west.

Financial Characteristics

The median household income for Arlington householders age 65 and over is \$54,924 ($\pm \$5,406$), which is about half of median household income for all Arlington householders (\$103,594 \pm \$4,898.) This is unsurprising given that many residents over age 65 are retired or work fewer hours, and are likely relying on retirement savings and social security for their income. Despite their lower incomes relative to the general population, Arlington households with householders age 65 and over make about \$9,000 more than that group in the comparison region (\$46,425 \pm \$4,982).

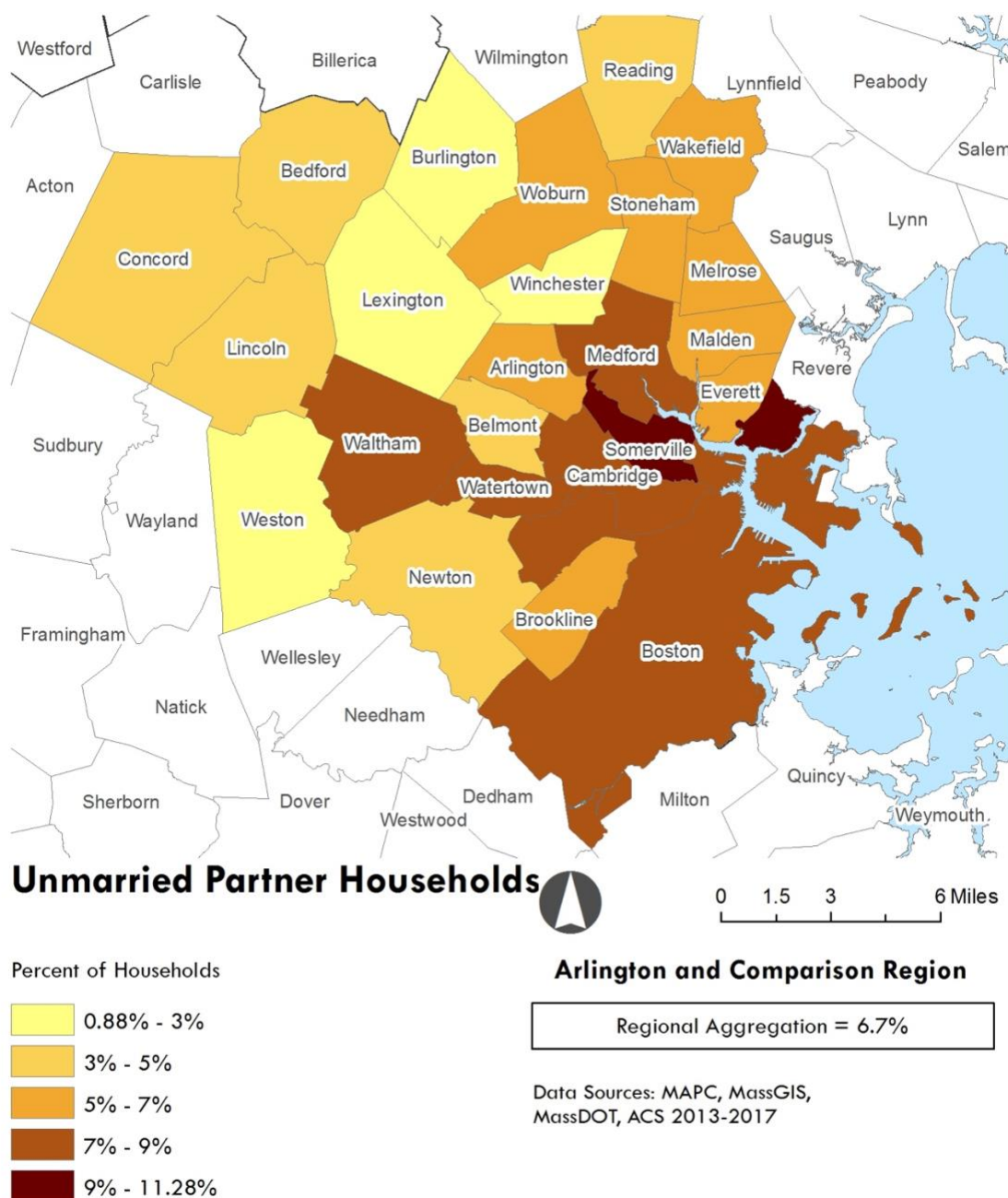
Figure 10: Percentage of Population Over Age 65



Marital Status

At 6% ($\pm 1\%$), Arlington falls towards the center of municipalities in the comparison region by percentage of unmarried partner households, and just slightly lower than the aggregated statistic for the comparison region (7%). The aggregated statistic is likely heavily weighted by more populous municipalities that have a higher percentage of unmarried partner households, such as Boston, Somerville, and Cambridge.

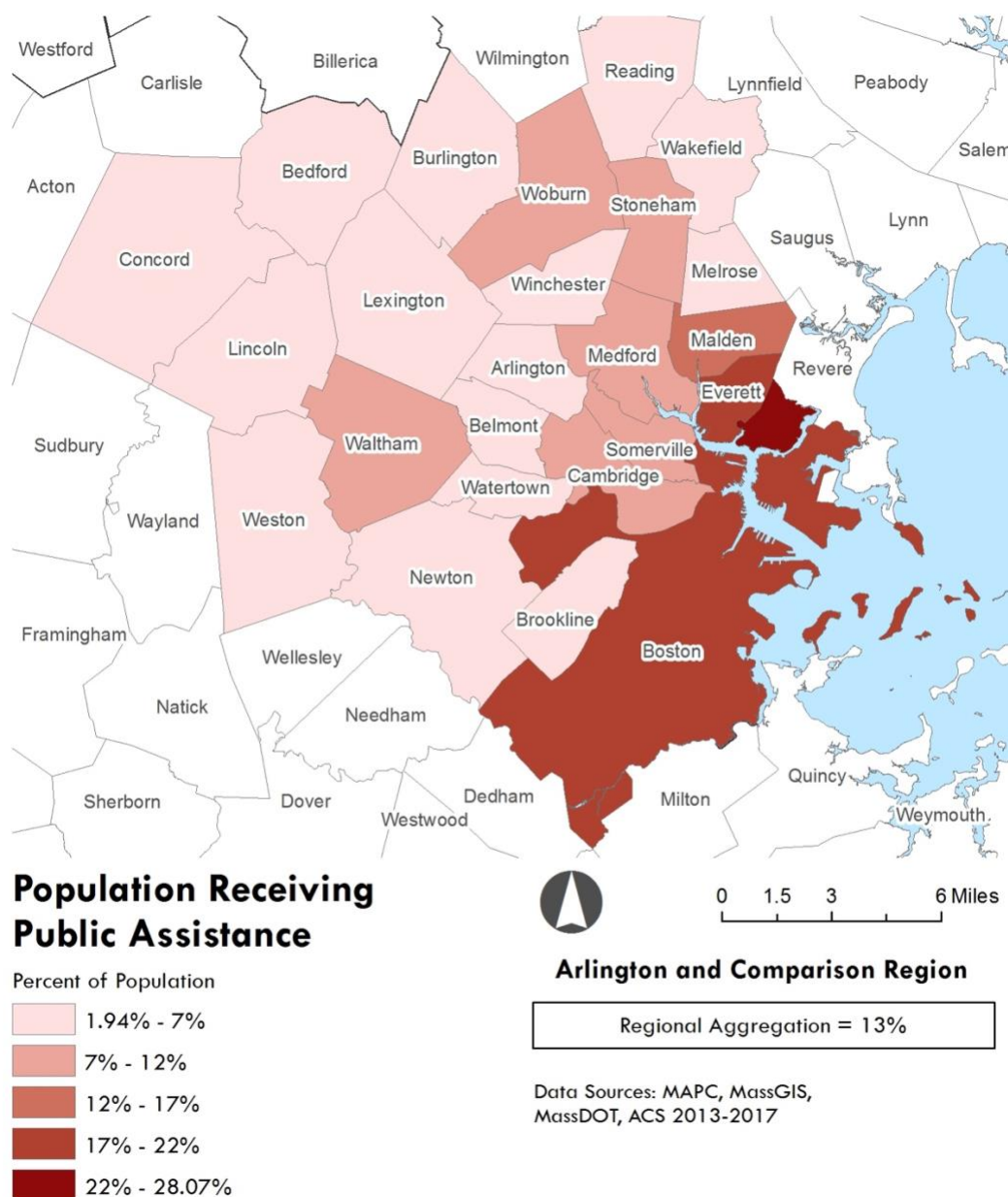
Figure 11: Percentage of Unmarried Partner Households



Public and/or Rental Assistance

Public assistance refers to assistance programs that provide either cash assistance or in-kind benefits to individuals and families from any governmental entity. It is illegal in Massachusetts to discriminate against an individual because they receive public assistance. In the context of fair housing, public assistance discrimination is most commonly based on the use of a housing rental voucher or some other federal, state, or local public assistance. This most commonly takes the form of a landlord declining to rent to a resident with a housing voucher, what is commonly called “source-of-income discrimination.”

Figure 12: Percentage of Population Receiving Public Assistance



Of all households in Arlington, 5% ($\pm 1\%$) receive public assistance, which is far less than the aggregated statistic for the comparison region: 13%. This suggests that households receiving public assistance are underrepresented. Some forms of public assistance available in town are administered by the Arlington Housing Authority, which provides housing directly, as well as rental vouchers to residents in private housing. Additional demographic information for Housing Authority assistance recipients is discussed in [Arlington Housing Authority](#) on page 76.

Sex

Sex-based discrimination in housing can take many forms. It can include refusal to provide housing or real estate services based on sex, as well as forms of sexual harassment. Data from the Census Bureau ostensibly covers sex and not gender, and no data is explicitly provided on gender.⁹

Financial Characteristics

The median income for men in Arlington was \$65,847 ($\pm \$6,181$) and for women was \$46,346 ($\pm \$3,189$). Arlington was in the higher end of median income for men in the comparison region and had the second highest median female income, following Brookline. Examining the disparity between male and female median income, Arlington ranked in the middle of the range; the highest disparity was \$89,583 (Weston) and the lowest was \$8,220 (Somerville). Correspondingly, within Arlington, 4% ($\pm 1\%$) of the male population lived in poverty, while 6% ($\pm 1\%$) of the female population lived in poverty. This disparity was reflected in other municipalities as well. For both figures, Arlington fell towards the center of the comparison municipalities.

Veteran Status

The Census Bureau defines a veteran as a person who has served (even for a short time), but are not currently serving, on active duty in the U.S. Army, Navy, Air Force, Marine Corps, or the Coast Guard, or who served in the U.S. Merchant Marines during World War II.

Of Arlington's civilian population 18 years and over, about 5% ($\pm 1\%$) are veterans. Similar numbers are seen throughout the region, ranging from 11% ($\pm 3\%$) in Lincoln to 2% ($\pm 0.2\%$) in Cambridge.

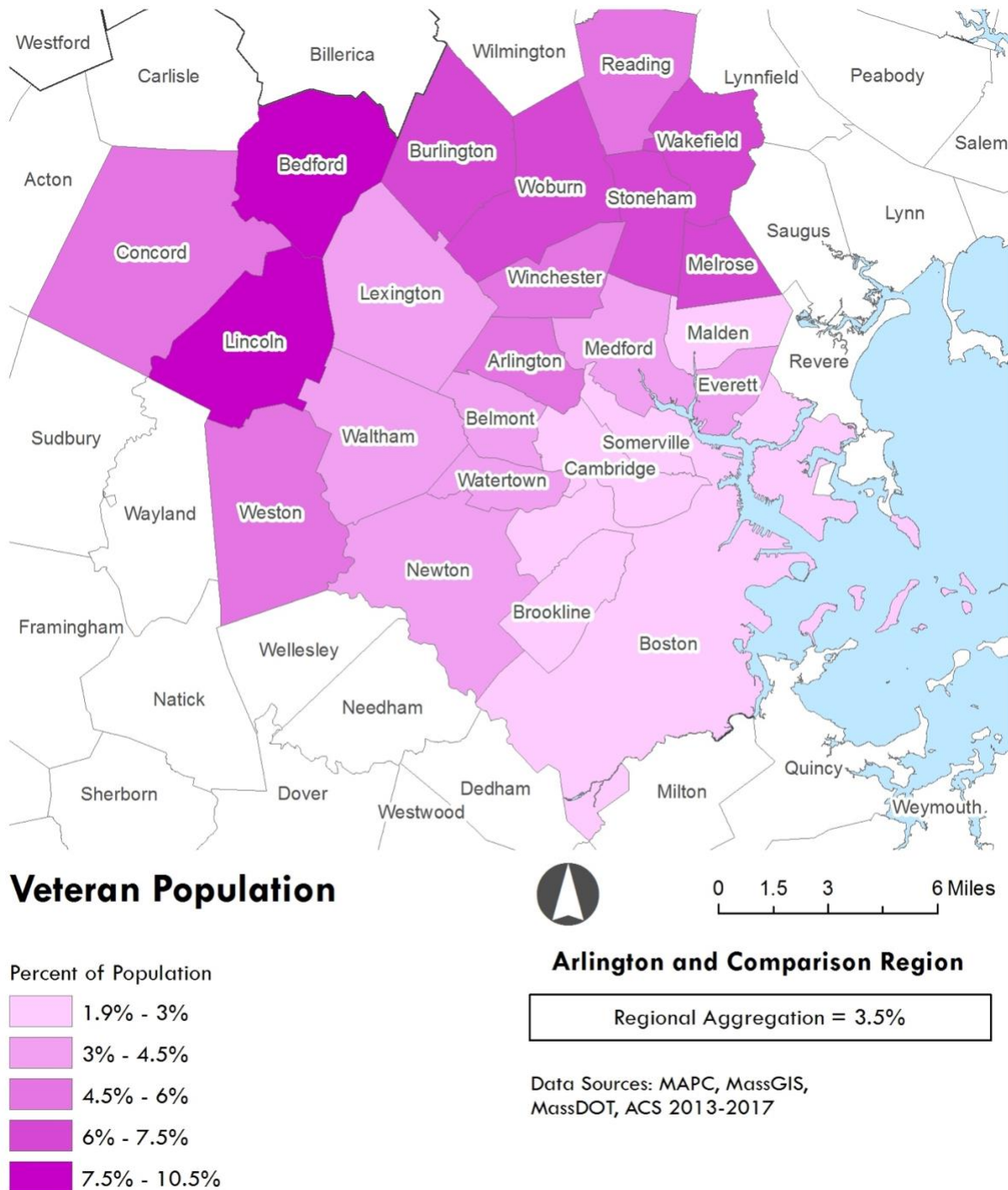
Financial Characteristics

The median income for veterans in Arlington is \$41,535 ($\pm \$7,254$), about \$15,000 less than the nonveteran median income of \$55,222 ($\pm \$2,447$). Compared to other municipalities in the region, Arlington's veteran incomes fall toward the center of the comparison municipalities, which range from \$78,286 ($\pm \$13,292$) to \$25,745 ($\pm \$5,823$).

⁹ The American Community Survey asks respondents about sex and not gender. Though the [2019 ACS Subject Definitions \[pdf\]](#) discuss the concept of "biological sex," the survey itself simply uses the word "sex" and offers "male" and "female" as options. Since answers are self-reported, there is likely some conflation between sex and gender in responses. This imprecision in the Census Bureau's data collection makes it difficult to assess either sex or gender beyond a male-female binary, despite fair housing law covering individuals with sex and/or gender variance beyond that binary.

Correspondingly, of the total population in Arlington living below the poverty level in the past 12 months, 5% ($\pm 3\%$) are veterans, placing Arlington again in the middle of the range of municipalities. The highest rate of veterans in poverty is in Chelsea at 14% ($\pm 10\%$) and the lowest is in Belmont at 0.1% ($\pm 1\%$). The high share of veterans in poverty in Chelsea is likely due in part to the state-funded Chelsea Soldiers' Home, which provides veterans with health care services and full-time residential accommodation including a 174-bed long-term care facility and 305 dormitory beds.

Figure 13: Percentage of Veteran Population



Affordability

The fundamental question this part of the plan asks is whether members of protected classes can access housing in Arlington. So far, the analysis has been limited to whether protected classes currently live in Arlington, and in some cases, a brief look into protected classes' finances. This latter financial element points to an important part of access: can members of protected classes afford to live in Arlington? For a thorough analysis of housing costs and housing cost burdens, see [Appendix B: Housing Characteristics and Costs](#) on page 108.

This section compares the median household income for households in Arlington and the comparison region to median home costs for newly rented or purchased housing in Arlington. This measure illustrates whether a household making the median amount of money within a protected class could afford to move to the median Arlington home. Though this analysis does not cover the needs or abilities of all household wishing to move to Arlington, it illustrates the racial gap in access to Arlington's housing experienced by households in the region.

Rental Housing

The median rental listing in Arlington is \$1,593.¹⁰ This rent would be affordable to the median Arlington household, regardless of race. However, Arlington's median rent is not affordable to the median Black or Latino households within the comparison region. These populations may have greater difficulty moving into Arlington than White households from the same communities. Table 2 shows the staggering difference in incomes of Black and Latino households in Arlington versus the comparison region, as well as the gap between a rent the typical household in each racial/ethnic group can afford and the median rent in Arlington. The typical Black and Latino households in the comparison region would need approximately \$600 in additional monthly income to afford the typical Arlington apartment. By contrast, the typical White and Asian households would not need additional income to afford the median asking rent in Arlington. In essence, the comparison region's typical White and Asian household can access Arlington's rental housing, while the typical Black and Latino households cannot.

Table 2: Median Household Income by Race, Affordable Rent, and Rental Gap

Race / ethnicity	Arlington			Comparison Region		
	Median Household Income ¹¹	Affordable Rent ¹²	Rental Affordability Gap ¹³	Median Household Income	Affordable Rent	Rental Affordability Gap
Black	\$102,660	\$2,470	\$880	\$43,060	\$980	-\$610
Latino	\$106,548	\$2,560	\$970	\$43,882	\$1,000	-\$590
Asian	\$124,750	\$3,020	\$1,430	\$78,332	\$1,860	\$270
White	\$100,495	\$2,410	\$820	\$96,672	\$2,320	\$730

¹⁰ MAPC Rental Listing Database, 2017

¹¹ ACS 2013-2017

¹² Affordable rent is based on a household spending 30% of its income on total housing costs including utilities, minus \$100 monthly for utilities. Affordable rents are rounded to the nearest tens place.

¹³ The rental affordability gap is the amount of monthly rent the median household can afford minus the median monthly asking rent in Arlington, \$1,593. A negative value indicates the household cannot afford the median rent.

While the figures in Table 2 are generalizations that inherently simplify both the housing market and the diverse needs of residents seeking housing, it is difficult to overstate the extent to which housing cost is a barrier to accessing housing in Arlington for Black and Latino households in the region. Unless they are able to access a deed-restricted affordable unit, the typical Black or Latino family in the region will have a difficult time finding housing options in Arlington that do not involve overcrowding or other substandard housing.

Ownership Housing

It would be difficult for the typical Arlington household to purchase a home in Arlington today, regardless of protected class status. A household earning Arlington's median income of \$103,594 could afford to purchase a home costing about \$475,000, assuming good credit, minimal existing debt, and a down payment of 20%. Of course, in today's market a 20% down payment is rare for a first-time homebuyer; if a household does not have this level of savings, the amount it can afford to pay for a home is even less. For example, if the same household makes a 5% downpayment, the amount it can afford to pay drops to \$380,000.¹⁴

Arlington's average single-family home and condominium sale price was \$594,100 for sales from 2013 to 2017.¹⁶ This is more than \$100,000 more expensive than the typical Arlington household can afford with a 20% downpayment. If the household only has savings for a 5% downpayment, the affordability gap increases to more than \$200,000.

For current Arlington residents, the median income differences between the median White household and the median household of color are negligible, so their ability to afford to purchase a home at current prices are roughly similar. As with renting, though, access to Arlington's housing by residents of the comparison region varies significantly by race. Assuming access to a competitive mortgage, a family earning the median salary of a Black or Latino household (\$43,060 and \$43,882, respectively) could afford to purchase a home costing roughly \$150,000—about 25% of the median home price in town.¹⁷ This demonstrates that members of protected classes who are not incumbent residents face barriers to accessing housing in Arlington (though it does not mean that no members of protected classes can access Arlington's housing or that incumbent residents face no fair housing issues).

Access to Opportunity

Given the disparities in representation of protected classes across the region, a key question that emerges is whether residents of Arlington experience greater access to opportunity than their peers from neighboring municipalities. There are many ways to explore access to opportunity. For the purposes of this analysis, access to

¹⁴ Mortgage affordability was determined based on a calculated monthly mortgage payment according to a 30-year term, Arlington FY2020 real estate tax of 11.06% per \$1,000, a 4.25% fixed annual interest rate, PMI rate of 0.75%, and homeowner's insurance of \$1,200 annually. These calculations assume equal access to mortgage products. (See [Mortgage Lending](#) on page 73 for more information on mortgage access).

¹⁶ Warren Group, 2013-2017. To the extent that housing prices have risen faster than incomes, an affordability gap calculation based on current incomes and housing costs would likely show an even greater gap between what a typical household earns and what housing they could afford.

¹⁷ Assumes a downpayment of 5%.

opportunity is evaluated in four categories: Graduation Rates, Health Outcomes, Economic Mobility, and Transit Access.

Within Arlington, it is difficult to determine whether disparities in overall access to opportunity are due to patterns of segregation or the small share of persons of color and the small size of the town. Where disparities do exist, such as in the case of graduation rates, they cannot necessarily be attributed to residential patterns.

The regional picture is clearer. While the municipalities with the highest share of persons of color have a greater degree of transit access, they also have lower graduation rates, higher youth asthma hospitalization rates, and lower economic mobility than the less racially diverse municipalities to the north and west. Taken collectively, this indicates that regional patterns of segregation are indeed precluding persons of color from accessing housing in higher-opportunity areas. Arlington generally falls in the middle of the context communities in terms of overall opportunity. Arlington's residents of color have higher levels of opportunity than many people of color residing in the comparison region. However, the town's low share of people of color means that the relative opportunity afforded by residence in Arlington does not benefit a proportionate share of people of color.

Graduation Rates

The Arlington Public School District's 2018 graduation rate was 93%, which puts Arlington in the high end of the comparison municipalities, where graduation rates range from 59% to 98%. Though many factors outside school quality impact graduation rates, the higher graduation rate means that students in Arlington have the advantage of participating in a school system where their graduation is extremely likely.

This advantage, however, is not equally conveyed. The graduation rates for Black and Latino students in Arlington are lower than the overall graduation rate, at 75% and 88% respectively. The same is true for low-income students, where the graduation rate is 82%. These lower rates, while unacceptable, do reflect trends across the comparison region: Arlington falls in the middle of the municipalities for Latino and low-income student graduation rates. The Black student graduation rate in Arlington, however, is the second lowest in the region (75%), with the caveat of a small sample size; the cohort size for 2018 was 16 students (MA DESE).

As a mid-sized town, Arlington has a single school district with one sixth grade school, one seventh and eighth grade school, and one high school. Because of this, there are few disparities with regards to which school children in Arlington attend, regardless of protected class status. However, the differing graduation rates indicate that there are factors beyond simply attending a high-performing school that contribute to educational attainment. While these may relate to housing (for example, evictions or overcrowding can negatively impact school performance), there are so many other structural factors that may contribute to these numbers that it is impossible to draw conclusions from a housing perspective alone.

On a regional level, disparities in access to high-performing schools are clearer. The seven school systems with 2018 graduation rates under 90% (Chelsea, Boston, Everett, Malden, Waltham, Somerville, and Cambridge) are also in municipalities with the highest concentrations of persons of color (see Figure 9). The same trends hold true for municipalities with higher shares of foreign-born populations (see Figure 4). On a regional level, these protected classes generally have less access to schools where they are more likely to graduate due to their housing location and regional patterns of segregation.

Health Outcomes

To evaluate health outcomes, MAPC examined youth asthma hospitalization rates and premature mortality rates. The youth asthma hospitalization rates in Arlington, based on 2008-2012 data from the Massachusetts Department of Public Health (MA DPH), was 220 per 100,000. This puts Arlington in the highest third of municipalities in the comparison region. Within the comparison region, the four municipalities with the highest shares of persons of color also experienced the highest youth asthma hospitalization rates (Boston, Malden, Everett, and Chelsea); the municipalities with the next highest rates (Medford, Woburn, and Arlington) have relatively low concentrations of persons of color. In the case of this metric, regional patterns of segregation appear to coincide with this health outcome for persons of color, though Arlington's outcomes are relatively high as well.

The age adjusted overall premature mortality rate in Arlington, again based on 2008 to 2012 data, was 266 per 100,000, landing it in the middle of the comparison region, which ranges from 354 per 100,000 in Woburn to 120 per 100,000 in Lincoln (MA DPH). The eight municipalities with premature mortality rates over 300 per 100,000 (Woburn, Stoneham, Chelsea, Medford, Wakefield, Everett, Melrose, and Malden) include communities with both relatively high and relatively low concentrations of persons of color. While the municipalities with the highest shares of persons of color are all in the higher half of the context communities, they are interspersed with communities with higher shares of White persons.

Economic Mobility

To evaluate economic mobility, MAPC looked at the probability that a child born between 1978 and 1983 into a low-income household in a given Census Tract grew up to live in a household with an income in the highest 20% nationwide. In the comparison region, the lowest economic mobility is in the inner core, particularly Boston, Chelsea, and Everett, all cities with high shares of persons of color. On the other hand, the areas that exhibited better economic mobility are generally located further west of the city, which are generally less racially or ethnically diverse. Based on this metric, patterns of regional segregation appear correspond to decreased economic mobility for persons residing in municipalities with a higher share of persons of color.

Arlington displayed a mix of Census Tracts with both higher and lower mobility. There is no clear connection between a tract's economic mobility and its share of persons of color in town, though this is unsurprising, given the small share of persons of color and the small number of census tracts in town.

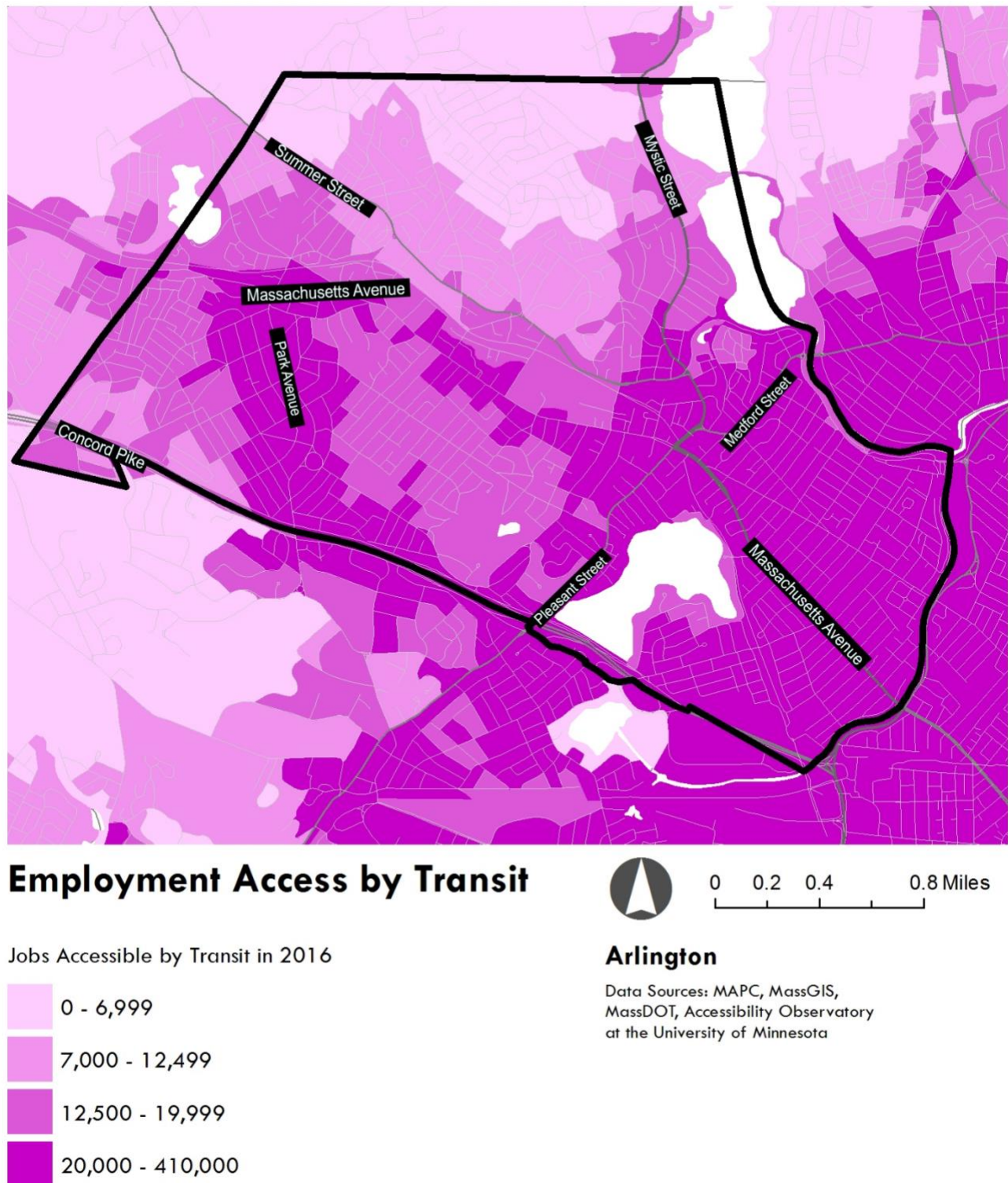
Transit Access

Arlington does not have rapid transit or commuter rail stops but does have bus service. Most bus routes run through east-west corridors along Massachusetts Avenue, Broadway, and Summer Street, or along the town's southern border parallel to Route 2, though a few routes also run along north-south streets including Park Avenue, Pleasant Street, and Medford Street. Most bus routes in Arlington connect to the Red Line at Alewife Station, just south of Arlington's border with Cambridge; the others connect to other Red Line Stations or to the Green Line at Lechmere. These short connections to the region's rapid transit lines make Arlington relatively well positioned for transit access, particularly with the recent addition of a priority bus lane along Massachusetts Avenue.

All of Arlington falls within a half-mile buffer (10-minute walking distance) of a bus stop. However, it is important to note that proximity to a bus stop is just a first step: bus routes may have long headways, may not travel to a required destination, or may not operate during needed hours. Furthermore, Arlington's bus service has been threatened by austerity measures in the recent past. In March 2021, the MBTA implemented its "Forging Ahead" plan, which cut service across the transit system, including suspension of routes 79 and 80, consolidation of several routes, and reduced service on remaining routes. The plan was quickly reversed after an infusion of federal funding, but the episode illustrated the precarity of service in Arlington.

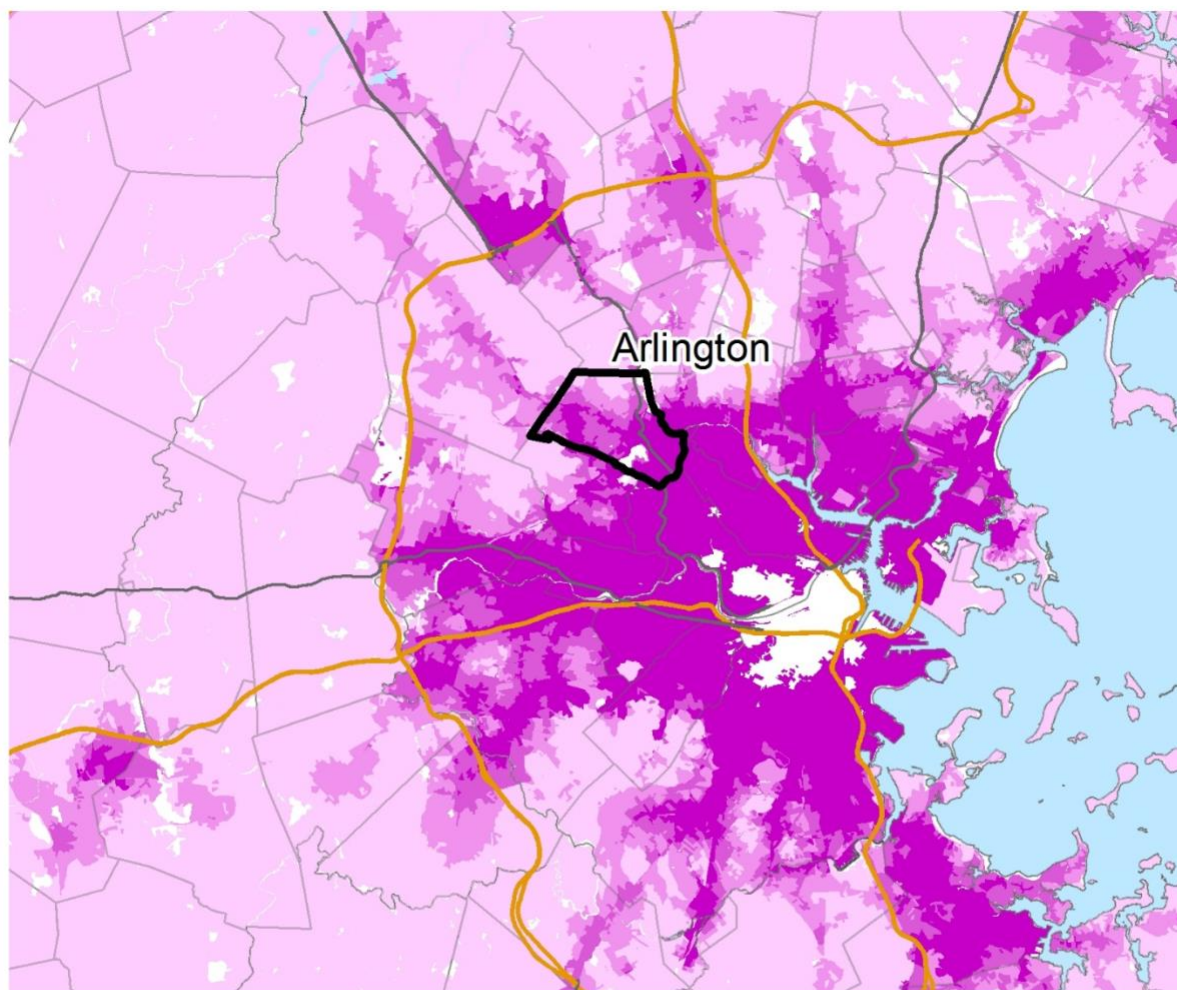
The Accessibility Observatory at the University of Minnesota combines route data, route frequency data, and employment data to approximate the number of jobs accessible within 30 minutes of a Census Block by transit and/or walking. This data shows greater employment accessibility in the eastern portion of Arlington and along Massachusetts Avenue and Park Avenue (see Figure 14). This area of greater employment accessibility overlaps with the slight concentration of Black and Latino populations in eastern Arlington, indicating that the relatively few persons of color who live in Arlington do not face transit barriers greater than the town overall because of location.

Figure 15: Employment Accessibility by Transit in Arlington (Accessibility Observatory at the University of Minnesota)



A similar spatial trend is exhibited throughout the region, in which generally more jobs are located within 30 minutes of transit closer into the city than in the suburbs, with a few exceptions for employment hubs. This map suggests that residents of Arlington have greater access to jobs than outlying municipalities. While Arlington's bus routes operate with less frequency than the rapid transit routes closer to Boston's core, particularly in off-peak hours, the number of bus routes provides offers far more transit accessibility than is found in communities in the northern and western portions of the comparison region.

Figure 25: Employment Accessibility by Transit in the Comparison Region (Accessibility Observatory at the University of Minnesota)

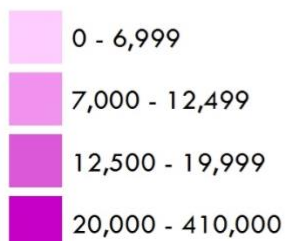


Employment Access by Transit



0 1.5 3 6 Miles

Jobs Accessible by Transit in 2016



Arlington and Comparison Region

Data Sources: MAPC, MassGIS,
MassDOT, Accessibility Observatory
at the University of Minnesota

Community Profile Conclusion

This chapter has illustrated that, when compared to other nearby communities, Arlington is often middling to poor in its representation of protected classes among residents. For certain groups such as Black and Latino households, Arlington has proportionally few residents in those protected classes, and members of those protected classes living in Arlington are much wealthier than those populations regionally. Relatedly, Arlington has proportionally few residents receiving public assistance compared to nearby communities. It is clear that for many members of protected classes, Arlington is inaccessible. Beyond mere access, Arlington proves to be unaffordable. For members of protected classes who can access housing in Arlington, housing-related access to opportunity is not equitably delivered.

In the next chapter, this plan examines how Arlington's deficiencies in fair housing choice are impacted by its laws and institutions, and how those deficiencies can be addressed through reform and institutional action.

Chapter III:

Fair Housing Factors and Recommendations

Fair housing choice can be affected by a variety of factors from direct discrimination to indirect factors like zoning and development. Direct impediments to fair housing are those actions, omissions, or conditions taken by a public or private party that limit the availability of housing choices because of a person's membership in a protected class. Similarly, indirect impediments are those actions, omissions, or conditions taken by a public or private party that appear neutral but have the effect of restricting housing choices due to one's membership in a protected class. Though some impediments exist because of an intent to discriminate against members of protected classes, intent is not necessary for a condition to be an impediment to fair housing choice.

Similarly, communities have a range of direct and indirect tools to limit discrimination and aid fair housing choice. Direct tools could include spending funds to provide housing access to members of protected classes or addressing complaints of housing discrimination. Indirect tools could include creating regulatory regimes that encourage housing that is accessible to members of protected classes.

This chapter assesses both impediments to fair housing choice and potential tools to increase fair housing choice in Arlington. Often these impediments and tools are related. Thus, the impediments and tools analyzed in this section are grouped according to broad themes:

- Structural barriers to fair housing
- Local policies and tools
- The Arlington Housing Authority
- Nonprofit capacity
- State policies and tools
- Housing stock
- Housing market
- Public opposition to housing
- Education and enforcement

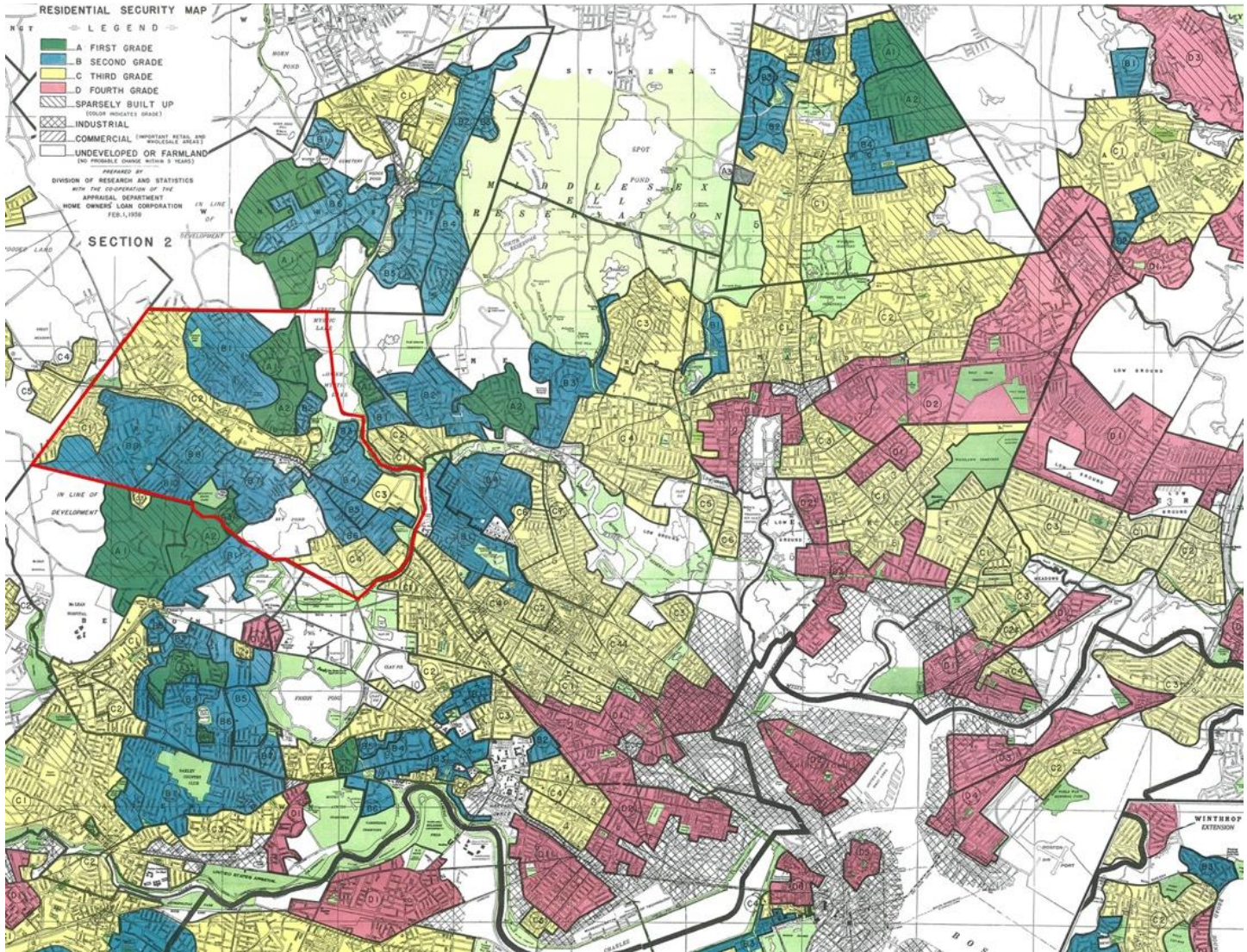
Within each of these themes, factors that act as fair housing impediments and/or tools will be presented, and those factors' impact on fair housing will be briefly summarized in "assessments." After those assessments, this plan offers recommendations that could address impediments to fair housing choice. Not all identified fair housing issues are matched with a recommendation. Rather, only recommendations that could be accomplished in the near-term to medium-term (over the next five years) are given. In the final part of this plan, the recommendations presented here will be consolidated in an implementation plan.

Structural Barriers to Fair Housing

Legacy of Exclusionary Past

Like nearly every community in the United States, Arlington and greater Boston have a history of discriminatory practices in its housing and land use policies, which has led to persistent racial segregation and inequity regionally and in town. Twentieth century segregation in the northern United States was never as legally explicit as that in the South, but suburbs created more covert systems of racial segregation through web of contract law, financing practices, and development regulations. This historical context is an important framework for any fair housing discussion because the legacy of that system—local policies that favored high-cost, low-density housing, coupled with federal housing policies that denied Black residents the opportunity to pursue generational wealth—are evidenced in the region’s continuing racial segregation today.

The housing market in greater Boston was significantly shaped by a practice we now call “redlining,” which determined where and for whom financing for housing was made available. Redlining emerged during the New Deal era in the 1930s, when the federal government began insuring residential mortgages. To guide underwriters in determining the level of risk associated with a given mortgage, the federal government produced maps that stated investment worthiness by location. The racial and ethnic composition of neighborhoods was explicitly considered a factor of investment security within these maps. Neighborhoods where the majority of residents were people of color or other ethnic or religious minorities were marked red or “hazardous” on the maps. Any level of racial integration was seen as a sign of “decline,” and marked yellow. Affluent White areas were marked “best” or “still desirable” in green or blue. The result of this practice was that residential mortgages and development financing, as well as the generational equity that comes with homeownership, were largely funneled to predominantly White suburbs while being denied to minority households and neighborhoods. The Black community suffered the most from these and related discriminatory practices.

Figure 16: Homeowner's Loan Corporation Residential Security Map, 1938, with Arlington outlined¹⁸

Arlington was predominately classified as blue or “still desirable,” with yellow “declining” areas clustered along its borders with Somerville, Medford, and Lexington and along Massachusetts Avenue. These yellow areas—which notably overlap with much of the area where multifamily housing is allowed today—would have had fewer resources directed to them than the blue and green areas north and south of Massachusetts Avenue. The town as a whole would have received far more investment than the red “hazardous” areas in Boston, Cambridge, Somerville, and communities to the northeast. These so-called redlining maps cemented racial segregation in greater Boston for several decades. The maps’ use was formally banned in 1968 with the passage of the Fair Housing Act.

Regional segregation was further embedded through “racially restrictive covenants,” contractual agreements written into property deeds that prevented homeowners from selling or renting their home to non-White

¹⁸ Source: Robert K. Nelson and Edward L. Ayers, accessed October 11, 2020, <https://dsl.richmond.edu/panorama/redlining/>

households. While it is unclear how many racially restrictive covenants existed in Arlington, at least one Arlington resident traced the title of their home in East Arlington and discovered a racially restrictive covenant included in the deed.¹⁹ There are likely homes across Arlington and many of Boston's suburbs with this language still in the deed. Racially restrictive covenants were made unenforceable by a 1948 U.S. Supreme Court decision, but the practice was not truly eliminated until it was made illegal through the Fair Housing Act in 1968.^{20,21}

Yet another policy tool that shaped who could and could not live in Arlington was the Town's Zoning Bylaw. Like most municipalities in close proximity to downtown Boston, Arlington embraced growth and development in the Town's first Master Plan (produced in 1914), which was implemented in the Town's first Zoning Bylaw (adopted in 1924). The first Zoning Bylaw designated much of the town as residential and allowed apartment construction in three large business zones along Massachusetts Avenue. Allowed apartment uses were expanded several times in the immediate post-War era, as the Town sought to accommodate new families and grow its property tax revenue.

However, as segregation in greater Boston was challenged and integration became a real prospect across the region, Arlington's attitude toward development shifted. Concerted opposition to development projects began in the 1960s and became more organized in the early 1970s. Activists used both explicit and coded anti-integration language to rally opposition to apartment development and the related effort to downzone portions of the town.²² In 1975, following a one-year moratorium on multifamily construction, Town Meeting adopted a new, more complex Zoning Bylaw that created multiple new permitting processes for most forms of development and "downzoned" most of the town through restrictions on density, height, lot size, and parking. The ability to develop any type of residential use except higher-cost, single-family housing was severely curtailed. In 1991, Town Meeting adopted an amendment creating the R0 district, which extended this logic to require even larger lots of new single-family homes in some parts of town.

The new Bylaw elevated procedure and civic participation in the development process. While these do not necessarily result in anti-development outcomes, much less segregationist ones, they created friction and increased opportunities to derail projects. The new Bylaw also incentivized a form of civic participation that magnified individual abutters rights, essentially creating a new property right wholecloth: the right to exclude. In the decades since the 1975 Bylaw was adopted, housing development in Arlington plummeted, as it did in countless jurisdictions across the country that adopted similar changes to their Zoning Bylaws. Arlington's population even declined 21% between 1970 and 2000.²³

¹⁹ <https://equitable-arlington.org/2020/07/12/color-of-law-old-allen-farm/>

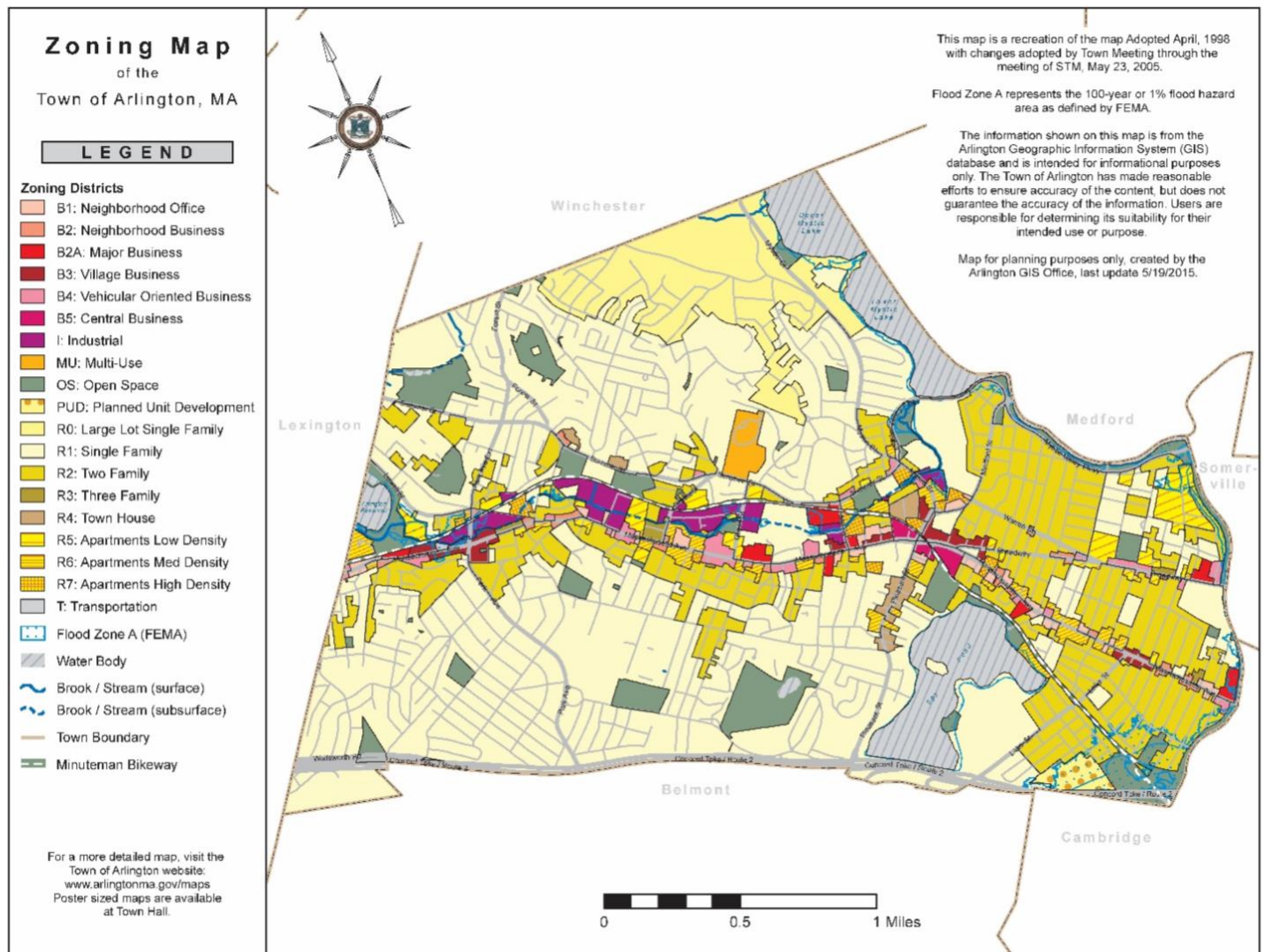
²⁰ Fair Housing Center of Greater Boston, "Historical Shift from Explicit to Implicit Policies Affecting Housing Segregation in Eastern Massachusetts," <https://www.bostonfairhousing.org/timeline/>

²¹ National Association of Realtors, "You Can't Live Here: The Enduring Impacts of Restrictive Covenants," <https://www.nar.realtor/sites/default/files/documents/2018-February-Fair-Housing-Story.pdf>

²² Alexander von Hoffman, "Creating an Anti-Growth Regulatory Regime: A Case from Greater Boston," Joint Center for Housing Studies, February 2006. See footnote 39 for a discussion of public and private use of racialized language.

²³ US Decennial Census, 1970 and 2000

Figure 17: Zoning Map of the Town of Arlington



Not all pro-development zoning advances fair housing goals. However, the anti-development history embedded in Arlington's Zoning Bylaw helped to maintain a system of racial exclusion that was created and perpetuated in the early- and mid-20th century by restricting housing supply. Though Arlington's population of non-White residents grew between 1970 and 2017 (from 1% to 22%), the proportion of non-White residents remains below the regional average (31%).²⁴

Assessment: The legacy of Arlington's past exclusionary practices is embedded in the town's urban form and in laws that remain on the books. Addressing that legacy will require ongoing community conversation and openness to disagreement, and reforming laws on the basis of inclusion.

²⁴ US Decennial Census, 1970; American Community Survey, 2013-2019 5-year estimates

Fair Housing in High-Cost Markets

At a regional level, several protected classes are more likely to have lower incomes than the general population, including seniors, people with disabilities, foreign-born people, and people of color. When housing costs are high, those high costs are borne disproportionately by those protected classes with lower incomes, despite the structure of housing costs being neutral on its face. If those lower-income protected classes cannot afford the available housing and must choose to live elsewhere, then housing costs have effectively limited fair housing choice in a community.

Assessment: Arlington's high housing costs are one mechanism for discrimination against certain protected classes. In order to ensure fair housing choice, Arlington must therefore ensure there is a reasonable supply of housing that is affordable and accessible to those protected classes. This is especially true in high-cost markets such as the greater Boston region. Impediments to fair housing choice can include inadequate investment in affordable housing, as well as regulatory regimes that increase the cost of housing.

Local Policies and Tools

Local Fair Housing Law

The Town of Arlington lacks explicit fair housing laws or other laws that reference housing and protected classes. Local government and private parties in Arlington are bound by the fair housing legal framework covering all jurisdictions, so a local fair housing law is not strictly necessary, and a local fair housing law would be unusual. Nonetheless, Town Meeting could pass a resolution affirming the Town's commitment to fair housing and ordering Town staff to advance fair housing issues where possible.

While there is no formal fair housing law at the local level, Arlington has numerous policies, programs, and resources that affect the housing market and thus fair housing. Among these are plans, laws, and procedures for housing and development, governance structures like commissions, code enforcement, and taxation that impact access to fair housing, and resources that the Town expends on housing matters that impact fair housing.

Housing Policy and Development

Previous Plans

In 2016, Arlington adopted a Housing Production Plan (HPP), which identifies six housing goals for the Town, as well as numerous regulatory reforms, programming strategies, and resource allocation strategies that would help to implement the plan's goals. One of those goals, fostering an aging-supportive community via housing choices that enable older adults to thrive in Arlington, explicitly relates to a protected class. Several others—such as producing more diverse housing for extremely low- to middle-income households and integrating affordable units in a range of housing types into the fabric of Arlington's existing neighborhoods—do not directly reference protected classes or fair housing, but generally aim to advance diverse housing options and housing affordability. The Housing Plan Implementation Committee (HPIC) coordinates and promotes the implementation of HPP recommendations. The seven-member committee is largely (though not exclusively) White and composed of members of the Select Board and Town Meeting, and leaders from Arlington Housing Authority, Housing

Corporation of Arlington, and area nonprofits. Recent HPIC initiatives have focused on establishing an Affordable Housing Trust Fund adopted by Town Meeting in November 2020, and studying a Real Estate Transfer Fee, for which a home rule petition was approved by the April 2021 Annual Town Meeting.

Like the HPP, the 2015 Master Plan does not directly reference fair housing, but includes housing recommendations that seek to increase housing affordability and diversity through both resource allocation and regulatory amendments. Of course, housing is one of the Plan's many topics, and the Master Plan also includes recommendations that require the Town to balance its housing goals with other town priorities, including preservation of natural and historic resources. Implementation is overseen by the Master Plan Implementation Committee and its various subcommittees.

In addition to the Town's plans, the North Suburban Consortium (NSC) also produced a plan relevant to Arlington. The NSC is a group of eight municipalities, including Arlington, that have a cooperative agreement to gain access to HUD's HOME program funds for affordable housing development. Working with the NSC and consulting firm OKM, Arlington prepared an Analysis of Impediments to Fair Housing (AI) in 2012. The plan identified three key impediments to fair housing choice: language and cultural differences, increasing use of the internet to market properties (and the lack of fair housing standards used by online marketing platforms), and a lack of income that would enable access to Arlington's relatively expensive housing. The plan recommended providing training in fair housing to landlords and brokers and suggested the Town explore options related to less expensive housing options and accessibility for non-English speakers. The plan did not offer further specifics.

Assessment: Arlington's guiding housing policy documents include many recommendations aimed at advancing housing affordability and diversity. Although fair housing is not referenced in the HPP and Master Plan, increased housing choices would certainly benefit those in protected classes. Moreover, the Town has actively pursued implementation of recommendations from both plans. These efforts have met with mixed success, with the biggest hurdle being resident opposition to potential changes; this will be discussed in greater detail later in this section. The Town's last fair housing plan (the 2012 AI) provided baseline data, but the identified impediments to fair housing were not comprehensive and the recommendations too vague to guide implementation.

Zoning Bylaw: Districts, Allowable Uses, and Dimensional Requirements

Zoning is a set of local regulations that describes what is or isn't allowed on a given parcel of land: how the land can be used (for example, for housing or for offices), the size and characteristics of buildings that can be built, and requirements such as how much parking or open space must be provided. Because zoning determines where and what type of housing can be built, it directly impacts housing costs and housing choices available in town.

Arlington's Zoning Bylaw is no exception. The Town's Bylaw defines 19 different zoning districts, including eight residential districts and six business districts, each of which allow different types of housing at differing densities. (See [Figure 17: Zoning Map of the Town of Arlington](#) on page 54 for a map of Arlington's zoning districts.) While the high number of districts implies that a substantial degree of housing variety is permitted in Town, the share of land devoted to multifamily housing is far more constrained. Well over half of the Town's land area (61%) is devoted to single-family housing, and any type of multifamily housing greater than two units is permitted on only 9% of the Town's land.

Table 3: Land area by zoning district

Zoning District	Land Area	Pct. Of Total
Single-Family Districts (R0 and R1)	2,010	61%
Two-Family District (R2)	620	19%
Three-family and Townhouse Districts (R3 and R4)	28	1%
Multifamily Districts (R5, R6, and R7)	131	4%
Business Districts (B1 through B5)	136	4%
Other Districts	360	11%
Total	3,284	100%

Even in districts where multifamily housing can be built, it is not permitted as a “by right” use. If a use is permitted “by right,” it can be approved without discretionary review. Single-family houses are allowed by right in all residential districts; duplexes are allowed by right in all residential districts except R0 and R1 (the single-family districts) and in all business districts. However, no housing larger than two units is allowed by right anywhere in Arlington. Even in districts where the primary use is designated for three-family dwellings, townhomes, and apartment buildings, those uses must undergo additional review, which is discussed in greater detail in the following section.

The districts that allow multifamily housing are almost entirely along the Massachusetts Avenue, Summer Street, and Broadway corridors. The R2 District, which allows two-family housing, is located primarily in East Arlington.

Within each district, the Zoning Bylaw includes dimensional requirements that limit the shape and size of buildings, such as lot size, building height, setbacks, and much more. For mixed-use buildings in business districts, dimensional requirements are generally compatible with existing development on commercial corridors and are conducive to infill development. However, in multifamily residential districts, many of these requirements—including density, minimum lot area, height limits and height buffers, floor area ratio, usable open space, and off-street parking—can discourage or even preclude multifamily development that would be suitable in these areas and that would provide a broader range of housing types.

Assessment: Overall, the Zoning Bylaw is extremely complex for a community of Arlington’s size. Complex codes require experience and legal skill to navigate, often necessitating legal counsel and zoning consultants to parse, and thus increasing costs. Zoning codes tend to become more complicated over time due to amendments patched into the law, and this is partly the case here. However, Arlington’s specific history of complexity is also tied to exclusionary reforms of the mid-20th century. (See [Structural Barriers to Fair Housing](#) on page 51.) This complexity is an indirect impediment to fair housing.

The substance of the Zoning Bylaw also presents fair housing issues. The current Bylaw is more restrictive than its own historic development patterns, substantially limiting opportunities to build multifamily housing and create affordable housing options in town—housing options that can advance fair housing choice.

As described above, single-family districts have historically been employed as a mechanism to promote segregation and to prevent households that cannot afford a single-family home on a large lot from moving to town. (See [Structural Barriers to Fair Housing](#) on page 51.) While segregation is no longer the Town’s intent, the large share of land devoted to single-family districts remains an impediment to housing choice. When combined with the high cost of land, the Bylaw’s minimum lot sizes and single-family use districts ensure that only large,

high-cost housing can be built in those locations. In R1 districts, where nonconforming two-family dwellings are fairly commonplace, the mandate to build only single-family dwellings is not rooted in the area's architectural character, but is rather the legacy of a specific historical social movement to restrict growth in the town. Aside from two-family buildings, many single-family districts may also have opportunities for smaller accessory dwelling units (ADUs) that could create additional housing options for protected classes without affecting community character.

The limited locations where multifamily housing is allowed is also problematic from a fair housing perspective. Arlington's multifamily and mixed-use districts are located almost exclusively along the Town's main thoroughfares. In many regards this makes sense. Multifamily housing options are often more affordable than single-family options, either because of the units' smaller size or because deed-restricted affordable housing is almost always in multifamily buildings. It is important that this affordable housing be located close to services and transportation options, and Arlington's main commercial corridors clearly satisfy this need. (See [Deed-Restricted Affordable Housing Stock](#) on page 85.) However, confining multifamily and hence affordable housing to such a small area in town essentially codifies income-related segregation, which raises fair housing concerns for those protected classes with generally lower incomes than the population at large. Clustering lower-cost housing along major corridors also raises concerns about air quality (due to traffic), exposure to extreme heats due to the urban heat island effect, and potentially other Environmental Justice concerns.

A related and important fair housing impediment is the procedural preference given to single-family and two-family dwellings, even in districts nominally planned for denser housing types. Arlington's Zoning Bylaw requires a special permit for every multifamily use greater than two units, even in districts that are intended to accommodate multifamily use. Although there is a district called the Three-Family District, a special permit is required to build a three-family dwelling in this zone; the same is true for townhouses in the Townhouse District and even small multifamily projects in the Apartment Districts. However, lower-density residential uses are allowed in these ostensibly higher-density districts by right, as well as in business districts where appropriate residential uses would likely be limited to mixed-use settings with housing units above ground floor retail.

Likewise, the strict dimensional restrictions placed on multifamily housing severely limits how many units can be built, and ultimately the cost of living in those units, even where multifamily housing is permitted. These requirements are by and large inconsistent with historic development patterns, and would preclude many beloved historic buildings from being built today. High land prices coupled with these limits on housing density can result in fewer but larger and more expensive units. This is particularly problematic when the Town's inclusionary zoning law, discussed in a following section, is only applicable to development greater than a certain number of units.

The Town has made progress in recent years through several changes to its Bylaw. Most notably, the 2016 amendments to allow more flexible dimensional and parking requirements for mixed-use development make residential mixed-use buildings a far more feasible option. The Town has also amended its definition of "family or household" so as not to preclude unrelated persons from sharing a household, a provision which can result in discrimination against persons with disabilities, non-traditional households (marital status is a protected class), or new Americans (national origin is a protected class). Group homes are permitted by right in all residential districts.

Further zoning changes may be required sooner than later, due to the passage of "Housing Choice" legislation in January 2021. The legislature passed the law as part of "An Act Enabling Partnerships for Growth," the Commonwealth's economic development bond bill. Among many other provisions, the bill amends the state Zoning Act with new provisions for MBTA communities, including Arlington. This new section requires that each MBTA community have a zoning ordinance that provides for at least one district of reasonable size in which multifamily

zoning suitable for families with children is permitted as of right. Additionally, each district is required to have a minimum gross density of 15 units per acre. Failure to comply will prevent Arlington from accessing funds from the Housing Choice Initiative, the Local Capital Projects Fund, and the MassWorks infrastructure program. Arlington will need to act soon in order to preserve access to state funding.

Recent Proposed Zoning Bylaw Amendments

Town staff and the Housing Plan Implementation Committee (HPIC) have been active in pursuing recommendations from its Housing Production Plan and the Master Plan (see [Previous Plans](#) on page 55), including several amendments to the Zoning Bylaw. At the 2016 Annual Town Meeting, amendments to the Zoning Bylaw that allow mixed-use development along commercial corridors by special permit passed with overwhelming support, as did parking reductions in high-density residential and business districts.

However, subsequent efforts to advance HPP recommendations related to the Town's Zoning Bylaw have faced greater opposition at Town Meeting. A series of amendments in 2019 proposed more flexible dimensional requirements for higher-density multifamily residential districts alongside an increased requirement for affordability. The measures were ultimately withdrawn by the Arlington Redevelopment Board following significant Town Meeting and resident pushback of the impact of proposals. The same year, a proposed amendment to allow accessory dwelling units in the Town's single-family districts was supported by a majority of Town Meeting members but failed to secure the two-thirds majority needed for zoning changes. (Public opposition to housing and zoning reform are discussed in detail in later sections.)

Assessment: Many of the zoning measures considered in the past five years—both those that passed and those that did not—were intended to increase housing options and affordability in Town. Those that did not achieve the support needed, particularly the 2019 amendments around dimensional requirements for multifamily housing, were seen by some residents as incompatible with the built character they desired for Arlington. This perspective and its impacts on advancing fair housing are considered in [Public Opposition to Housing](#) on page 95.

Inclusionary Zoning

Inclusionary zoning refers to a policy requiring that a percentage of new development be affordable to low-income households. Arlington's inclusionary zoning law requires that 15% of units in new residential developments of six or more units be affordable to low-income households earning either 60% or 70% of Area Median Income (AMI) for rental units and ownership units respectively, and that these units be deed-restricted as affordable in perpetuity. The affordable units must be built on-site as an integrated part of the development; while payment-in-lieu contributions are permitted under exceptional cases, this option has never been approved. The Bylaw partially offsets the cost of the affordable housing provision through reduced parking requirements. Between the Inclusionary Zoning Bylaw's adoption in 2001 and 2020, 59 affordable housing units were created.

Assessment: By requiring affordability at 60% AMI, Arlington's Inclusionary Bylaw enables deeper affordability than the more common 80% AMI requirement. This is laudable and provides affordability for an income tier that is often missing in many towns. However, the number of affordable housing units produced by the Bylaw in the nearly 20 years since its adoption is low, due to the limited amount of multifamily development in Arlington. The Town also sought to maximize preference for Arlington residents in available affordable housing units, which can make sense to address local housing need. In Arlington, though, the existing population has proportionally fewer members of protected classes than the surrounding region. Therefore, by preferencing existing residents who

disproportionately not members of protected classes, the local preference policy could exacerbate existing patterns of segregation. Ultimately, inclusionary zoning policies are only effective for fair housing when paired with housing production and an openness to outsiders.

Teardowns and Condominium Conversions

During the engagement for this plan, some residents and service providers cited the conversion of rental units into market-rate condominiums as a displacement threat to current renters. They expressed concern that the removal of these smaller rental units, typically in older, small-scale multifamily buildings, risks exacerbating displacement and putting pressure on Arlington's already limited supply of rental housing options with relatively low market rents. Arlington's HPP identified that 1,460 rental units were converted to condominiums between 2000 and 2014.

Though not mentioned in this plan's engagement, the issue of "teardowns"—older, smaller, and typically less expensive single-family homes that are torn down and replaced with larger housing—has also garnered attention in town. In 2019 the Residential Study Group, a subcommittee of the Master Plan Implementation Committee, studied the issue and found that in the 9.5 years preceding the study, 255 homes in the R0, R1, and R2 districts were substantially renovated or replaced, an average of 27 per year. The report suggested that teardowns are not likely to affect affordability in Arlington due to their limited number, high price point of the original homes, and the far greater impact of regional housing market pressures on housing costs.

Assessment: Fair housing involves the ability of protected classes to not only find suitable housing but also to maintain it. Teardowns pose minimal displacement threat to protected classes, both because of their relatively small occurrence in Arlington, and because the previous property would typically reap the benefits of increasing land and home values. From a fair housing perspective, involuntary displacement of protected classes due to teardowns is unlikely, though it could occur in rental properties. Tenants could be at risk of displacement if their current landlord seeks to reposition a property for a higher-income tenants or buyers, or if a landlord sells to a developer seeking to reposition the property. Condominium conversions could likewise represent a displacement risk. (See [Displacement](#) on page 93 for more information on displacement generally.)

Review Process

As discussed previously, the only residential development allowed by right in Arlington is single-family and two-family housing. All other housing types require a Special Permit, which is granted by either the Zoning Board of Appeals (ZBA) or the Arlington Redevelopment Board (ARB), depending on the location of the project.

Certain types of residential development, including developments of six or more units, mixed-use development, and projects located on important thoroughfares, are subject to Environmental Design Review (EDR), an enhanced form of site plan review conducted by the ARB. The Bylaw considers these projects to have a "substantial impact on the character of the town and on traffic, utilities, and property values." The Town's Department of Planning and Community Development assesses Special Permit applications and makes recommendations to the ARB, which ultimately rules on a project's compliance with EDR Standards laid out in the Bylaw. An unfavorable EDR decision can result in the denial of a Special Permit. The EDR Standards include provisions for landscape preservation, surface water management, site circulation and transportation impacts, open space design, and relationship to the existing context (including use, scale, and architecture, and shadow impacts), among other standards.

Assessment: Discretionary review processes, particularly robust ones such as Arlington's, can pose a barrier to fair housing for two reasons. First, the discretionary authority afforded through the Special Permit and EDR processes increases risk for developers, which can in turn make the housing more expensive for future residents. The challenge of pursuing discretionary review can also prompt developers to simply build fewer units to avoid the review altogether. The resulting units are often built to be larger and more expensive in order to recoup land costs. Because multifamily uses are only permitted along the Town's main corridors, the requirement that any project along a main corridor undergo EDR effectively means that every multifamily project greater than two units must undergo EDR. This is an exceptionally low threshold for such a rigorous review process.

Second, largely subjective discretionary processes provide an opportunity for discrimination against protected classes, whether intentional or unintentional. While some of the EDR review criteria, such as the provision for utility service, are specific and well-defined, other criteria such as heritage or relationship to the environment are subjective and allow for broad discretionary authority. References to neighborhood character are particularly problematic. A requirement that new housing be based on the existing character of a neighborhood may limit housing types to what has already been built there, it may not allow for new and needed housing types, and it references a built form that has been shaped by previous land use and housing policy that promoted segregation. Vague and difficult-to-define criteria such as these, particularly when not balanced with a requirement that these impacts be considered alongside the need for housing options for protected classes, are often used as a more socially acceptable objection to affordable housing than objections to the residents who may be moving into that housing. Taken together these processes can have a disparate impact on fair housing choice.

Boards and Commissions with Purview Over Housing and Development

Arlington has numerous commissions and boards that have purview over housing policy and development in town:

- The Arlington Redevelopment Board (ARB) is the town's statutory Planning Board and its Urban Renewal Authority, and serves as the Special Permit Granting Authority in most development matters, including the Environmental Design Review process described above.
- The Zoning Board of Appeals (ZBA) is the town's Special Permit Granting Authority in all matters that do not trigger Environmental Design Review, including relatively small-scale development, variances, and Chapter 40B Comprehensive Permits.
- The Arlington Conservation Commission reviews development proposals for their impact on wetlands, waterways, water bodies, and floodplains. Under M.G.L. Chapter 131 Section 40 and 310 C.M.R. 10.00, the Conservation Commission has jurisdiction over protected wetlands and adjacent land within a 100-foot buffer. These state protections are supplemented by Arlington's local Wetland Protection Bylaw and Regulations, which enable the Commission to require a net decrease in impervious surfaces on a development site, require that a development improve climate change resilience, and prohibit most development within 50 feet of wetlands. The Commission also administers Arlington's local Conservation Land Regulations.
- Arlington has two historic preservation bodies that regulate and exercise powers under M.G.L. Chapter 40C.
 - Arlington's Historic Districts Commission administers compliance with the town's seven historic districts under M.G.L. Chapter 40C. New development, exterior alterations, and demolitions within those districts must be approved by this body.

- The town's Building Regulations include protections for historically and architecturally significant buildings. These protections are administered by the Arlington Historical Commission, which identifies significant buildings and administers rules on their alteration and demolition. The AHC's focus on individual buildings is separate from and complements the Historic Districts Commission's work on broader districts.
- The Board of Health is a three-person commission dealing in all manner of issues related to public health. This includes housing code enforcement issues, which are discussed in greater detail below.

Assessment: In general, additional layers of review and approvals hinder the creation of new and diverse types of housing. Arlington has robust development review processes, though not an excessive number of reviewing bodies. As in many towns, these bodies represent valid but sometimes competing priorities, such as conservation and historic preservation, that must be balanced with fair housing goals. The extent to which achieving this balance is possible often depends on the composition and charge of the boards. For example, members of the ARB have expressed an interest in greater levels of affordable housing in otherwise market-rate development projects.

In Arlington, the number of identified significant buildings and the extents of the historic districts are not a significant barrier to fair housing and the creation of housing options (other than the additional discretionary review processes that increase risks and costs of development). That said, historic policies may prove a barrier for the alteration of individual homes for accessibility purposes.

Conservation review represents a greater challenge for advancing fair housing, primarily due to the way in which Arlington's watersheds overlap with its zoning map. Specifically, Mill Brook and its associated wetland buffers run parallel to Massachusetts Avenue for a large portion of that street's length. This triggers Conservation Commission review for a significant portion of the parcels in town that are zoned for multifamily use. This is not to minimize the importance of wetlands conservation, but rather to identify the substantial restrictions on many of the few parcels where multifamily use is permitted. Clear performance standards for development in these areas could protect the wetlands while limiting the impact on fair housing choice.

Governance

Town Goals and Resolutions

Arlington's Town Bylaws include nine goals intended to guide Town staff and leadership in establishing policies and in performing their various public functions. These goals were adopted by Town Meeting in 1993 and have since been affirmed in various Town policies and actions, including the 2015 Master Plan. The second of these goals focuses on diversity:

"We value the diversity of our population. Our Town's mix of ethnic, religious and cultural backgrounds, as well as economic and personal circumstances, enriches us. We will be known for the warm welcome and respect we extend to all."

The goal's support for a mix of ethnic, religious, and cultural backgrounds references several protected classes, including race, color, national origin, and religion, while the inclusion of diverse economic circumstances indirectly relates to additional protected groups.

In 2001, Town Meeting adopted a resolution that formally made it Town policy to “support aggressive efforts to increase the number of affordable housing units” consistent with other Town policy and regulations, make affordable housing a high priority in its expenditure of CDBG funds, encourage preservation of existing affordable housing (including deed-restricted affordable housing and unrestricted housing that is relatively inexpensive), and encourage housing for a variety of incomes, ages, and sizes consistent with fair housing laws.

Consistent with this goal, the Town is a member of the Government Alliance on Race & Equity (GARE), and has partnered with the National League of Cities on its Race, Equity, and Leadership (REAL) training, which increases the capacity of Town leadership to work on equity and inclusion in Arlington. In 2020, the Town hired its first Coordinator of Diversity, Equity, and Inclusion. The position was elevated to Director, and the division is housed in the Department of Health and Human Services in alignment with the division’s responsibilities coordinating the Arlington Human Rights Commission, Commission on Disabilities, and the Rainbow Commission.

Assessment: It is laudable that the Town has clearly articulated and consistently affirmed a commitment to diversity. However, the Town’s goals are not achieved simply by making commitments. The Town’s demographics and reports from Arlington residents and Town staff demonstrate that housing discrimination continues, including reported incidents of discrimination by landlords, members of protected classes (particularly racial minorities) being watched or stared at while in their neighborhood, and coded complaints that carry discriminatory implications. Recent steps to increase the Town’s capacity to address these issues is a good first step, but only a partial one. These measures will need to be matched by continued material support for integration and fair housing choice.

Boards and Commissions

The Town of Arlington has numerous boards and commissions that conduct public business, hold hearings on matters before the Town, and issue opinions or decisions about those matters. Three of those boards’ purviews deal with the civil rights of Arlingtonians and could reasonably overlap with fair housing matters: the Human Rights Commission, the Disability Commission, and the LGBTQIA+ Rainbow Commission. Additional boards, most notably the Council on Aging, serve members of protected classes in ways that could affect access to fair housing choice. Commission members are all resident volunteers, and a Town staff person serves as liaison and coordinator for each commission. Each Commission has a chairperson, and commissions meet once per month, with attendance open to the public. Agendas and meeting minutes are provided on the Arlington website.

Human Rights Commission

The Arlington Human Rights Commission (AHRC) was created in 1993 by Town Meeting. The purpose of this commission, as written in the Town Bylaws, is “to advance issues related to fair and equal treatment of individuals and to create a mechanism for addressing complaints arising out of these issues.” The AHRC’s powers and duties include (a) education efforts such as public hearings and surveys that will advance mutual respect, harmonious intergroup relations, and peace among residents; and (b) receive and respond to complaints of human rights violations, including complaint investigation, mediation efforts, and resolution, as well as initiating investigations into potential human rights violations apparent in town. The Bylaws also state that the commission is to work individually and collaboratively with other groups in the community to emphasize the danger of intolerance via educational outreach.

Fair housing issues fall squarely in the AHRC’s purview, and according to Town staff, complaints made to the AHRC regularly involve housing generally. Residents can file complaints through the AHRC website, through the Town of Arlington website under Human Rights Commission, or by calling or emailing. A Commissioner will then

conduct an initial investigation into the reported incident. Complaints are discussed at Commission meetings; names of the persons who reported the violation are not mentioned to ensure confidentiality. While the AHRC does not have the authority to redress complaints, the commission's investigations and hearing can provide information, publicity, and support for victims of fair housing violations, which could help resolve the violations and/or provide information to enforcement agencies.

One participant in this plan's public engagement expressed reluctance to file formal complaints regarding discrimination. Although they believed it was important to have a record of complaints against a landlord, "There's so many things going on in your life, you wonder is it worth it and would something even be done." They were also unsure how to take action: "When it first happened to me, I found it difficult to find the right people to talk to." Another participant shared an experience filing a complaint with the Human Rights Commission regarding privacy issues and timely addressing of reasonable accommodations. That participant expressed concern over how the matter was handled by the Commission.

Disability Commission

The purpose of this Commission as described in the Bylaws is to "centralize forces in providing information, referral, guidance and technical assistance to ensure that people with physical, sensory, cognitive and other disabilities have equal access to Town facilities, services and programs" (Arlington Commission on Disability Bylaws). This is accomplished as outlined in the Bylaws through research, technical assistance to ensure compliance with federal and state law, coordination with state agencies, reviewing the policies and actions of the Town's departments and other agencies, and providing information and guidance to individuals, public agencies, and private businesses and organizations on matters that affect people with disabilities. Though there is no formal complaint process (unlike the AHRC), the Disability Commission has received complaints about reasonable accommodations, including matters related to fair housing, and ADA compliance of businesses. These complaints are typically handled by the Director of Diversity, Equity, and Inclusion, who is the staff liaison to the commission. In general, it is within the Disability Commission's purview to address fair housing matters.

LGBTQIA+ Rainbow Commission

After several years as a subcommittee of the AHRC, the LGBTQIA+ Rainbow Commission was established in 2017 by Town Meeting. The purpose of this commission, according to the Town Bylaws, is to "Advocate for a culture of respect, promote LGBTQIA+ positive policies and to monitor progress toward equality of all persons with regard to sexual orientation and gender identity within the Town". This Commission is mostly focused on awareness, partnerships with community organizations, and training/partnering with public agencies including the police department and school district. This commission does not investigate resident reports of discrimination. When complaints are received, they are forwarded to the AHRC. The Town's Director of Diversity, Equity, and Inclusion is the staff liaison for this commission.

Council on Aging

The Council on Aging (COA) is a public body that provides programming for and support to Arlington residents aged 60 and over. Under the authority of Massachusetts General Laws Chapter 40 Section 6, Municipal Councils on Aging can be established by towns and cities to serve the senior population. The Arlington COA's mission, according to its webpage, is "to provide advocacy, support services, and programs to help Arlington elders live dignified and independent lives." Among other activities, the COA provides direct financial support for property taxes and utility assistance, administers the Senior "Work-Off" exemption that exchanges property tax reductions for volunteer hours from 20 seniors, and employs social workers that assist with housing needs and connect residents to housing resources. Given the relative impact of rising property assessments and utility costs on seniors (particularly lower-income seniors), the COA's activities related to property taxes have an impact on

fair housing access for older households. The COA does not have a formal complaint process for civil rights violations against seniors on the basis of age.

Commission History

In 1992, the Town of Arlington formed the Vision 2020 Standing Committee, now called Envision Arlington, a group tasked with ensuring the development of the town aligned with its long-range planning efforts. The Vision 2020 Standing Committee's Diversity Task Group recommended further committee formations in 1993, which resulted in the formation of the Arlington Human Rights Commission, Fair Housing Advisory Committee, and other groups. The Fair Housing Advisory Committee was active through 2006. In 1999, Town Meeting also established the Affordable Housing Task Force to determine the need for affordable housing in Arlington and help create more opportunities for affordable housing development. That committee was active through 2008.

Assessment: Several Town boards and commissions deal directly with members of protected classes, though not all are actively engaged in work that directly impacts access to fair housing choice. Two commissions hear complaints, including complaints that could be relevant to fair housing access. The Human Rights Commission's complaint process is authorized by the Town's Bylaws and includes a formalized process. The Disability Commission's process is informal and ad hoc, and complaints made to the Disability Commission tend to be taken up by the staff liaison. It is useful that multiple commissions can serve as points of contact for their constituencies, but there should be a formalized process to coordinate complaints across commissions to ensure they are handled adequately. This process could establish the AHRC as the body that formally handles all complaints or at least delegates responsibility for managing complaints to the Town staff liaison. Beyond hearing complaints of civil rights violations, no commission has a proactive agenda to promote fair housing access at the moment. A fair housing agenda could be brought back to the boards and commissions in multiple ways, including a reconstituted Fair Housing Advisory Committee, a fair housing coordination effort between commissions, or a fair housing subcommittee established in each relevant commission.

Town Departments

Arlington's Planning and Community Development Department oversees a variety of planning initiatives, including several related to affordable housing, and supports the Master Plan Implementation Committee and the Housing Plan Implementation Committee. The department includes one full-time position that includes a portion of time devoted to housing planning and advancing and monitoring of the Town's affordable housing inventory. Another member of the department's staff oversees the Town's Community Development Block Grant allocations.

The Department of Health and Human Services oversees a range of programs that support protected classes:

- A full-time Director of Diversity, Equity & Inclusion supports the Human Rights Commission, LGBTQIA+ Rainbow Commission and Disability Commission, and serves as the Town's ADA coordinator. Through this office, the Town participates in the Government Alliance on Race & Equity (GARE) and the National League of Cities' Race, Equity, and Leadership (REAL) training.
- The department conducts outreach to community members experiencing homelessness in coordination with the Somerville Homeless Coalition.
- The Health Department oversees the Arlington Youth Counseling Center, which is a provider of outpatient and school-based mental health care for Arlington's youth, particularly those on public health insurance plans. Their Community Resource Specialist assists Arlington residents in finding critical needs, including housing and utility support.

- The Health Department works with the Police and Fire departments as part of the Hoarding Response Team and to monitor demolition of existing structures.
- The Council on Aging provides support services and programs for Arlington's seniors. Its social workers can assist seniors with alternative housing needs and related services such as home care.
- Veterans' Services assists veterans in accessing state and federal benefits, including housing programs.

Assessment: Arlington is a well-resourced community that has the staffing capacity to undertake substantive planning projects and offer a range of support services. The ability of the Town's departments and staff is likely not a barrier to advancing fair housing.

Code Enforcement

Arlington's Health Department ensures all residential properties are in safe and habitable condition through enforcement of 105 C.M.R. 410, the Massachusetts Housing Code. The impacts of code enforcement on fair housing can cut both ways: underenforcement of code violations in lower cost and rental housing puts buildings at greater risk of falling into disrepair. This malign neglect can cause unsafe living conditions for residents of protected classes, or it can force those residents to seek housing outside of town. Conversely, overenforcement, particularly the use of condemnation, can displace residents in protected classes. This balancing act has been noted by HUD and has been the subject of federal court cases.

The number of housing inspections conducted jumped from 42 in 2010 to 152 in 2011, rising to a peak of 220 inspections in 2015, then falling to 172 in 2018, the latest figure available. Per the town reports through 2016, inspections typically result from an occupant's request for inspection by town officials. Common violations include unsanitary living conditions, insufficient heat, water damage, leaking plumbing fixtures, lead paint determinations, and insect and rodent infestations.

Assessment: By focusing on occupant-reported housing code violations, the Town ensures that it is focusing its resources on resident-identified needs. However, by putting the onus on the resident, it also leaves occupants of unsafe housing vulnerable to landlord retaliation if the residents seek to address unsafe conditions. Indeed, one focus group participant recounted a situation in which they did not report concerns because their highest priority was to maintain shelter; another suspected that a recent complaint to their landlord resulted in the buildings' leases not being renewed. Code enforcement should focus on proactive, regular inspections rather than being reactive to complaints, thereby addressing problem properties regardless of tenant action and limiting retaliation by landlords. The Town should structure remedies for code violations to avoid the displacement of tenants.

Town Meeting

Arlington uses a representative Town Meeting form of local government. Town Meeting, which functions as the town's legislative body, is composed of 252 members with 12 elected representatives from each of Arlington's 21 precincts. Town Meeting votes on laws, including amendments to the Zoning Bylaw, at the Annual Town Meeting in the spring and, as needed, a Special Town Meeting in the fall. Each meeting occurs over several consecutive evenings until business is concluded, which often extends longer than a week. In addition to the two annual meetings, committees of Town Meeting members convene to discuss specific topics at additional meetings throughout the year and report their findings to the full Town Meeting.

Assessment: The structure of Town Meeting, its size, and its schedule create a form of representative democracy that demands participation from a relatively wide segment of Arlingtonians. However, these attributes can also stymie efforts to pass legislation that is responsive to the housing challenges facing the community. The decision-making power resides with those who already live in town, who are not obligated to take into account the needs of those who might want to live in town but are unable to. It precludes the participation of those who are unable to attend multiple consecutive evening meetings due to childcare, work, or other obligations. These challenges are inherent in many forms of local democracy, but they likely serve as an impediment to fair housing reform.

Altering this fundamental structure of local government would require significant debate locally and potentially state-level action. Despite these barriers, the Town should explore reforms that expand the ability to participate. These could include simple changes to the schedule, such as making meetings more frequent but less time-consuming, or more complex changes like allowing virtual participation through hybrid digital and in-person meetings and digital voting systems.

Town Meeting can also address fair housing concerns by incorporating a fair housing review for each item on the Town Meeting warrant. Equity Impact Assessments (EIAs) are an increasingly popular tool for assessing legislation on its equity impacts. EIAs are often performed by municipal staff or an independent commission. Arlington could use an EIA process to assess fair housing impacts of legislation, which would ensure fair housing is part of the debate.

Property Taxes

Property taxes are local taxes on real estate and business-owned personal property. The tax “levy” (the total amount raised) and the tax rate are set locally, but that process is dictated by rules at the state level. An individual homeowner’s property tax bill is largely determined by two numbers: the residential tax rate and the assessed value of a home. The assessed value is the fair market value of a home, estimated from recent comparable sales in the area. The tax rate is set annually by the Town. The tax bill is set by applying the tax rate to each home’s assessed value. While the tax rate has remained fairly steady since 2001, home values have risen, causing an increase in tax bills. The residential tax rate in 2020 is \$11.06 per \$1000 of assessed property value. This has actually decreased slightly in recent years and is among the lowest rates of the past 20 years. The average amount of taxes owed on a single-family home in Arlington in 2020 was \$9,126.

In most years, the Town can only increase the total amount raised in property taxes by 2.5%, excluding taxes raised from new development. Voters can “override” this cap and approve larger increases for specific purposes. Additionally, certain debts can be omitted from this cap through a “debt exclusion,” which is a temporary tax increase to pay for a specific debt. In 2019, Town Meeting approved both a debt exclusion to build a new high school and an operating costs “override” that increased taxes beyond the 2.5% increase limit, the latter of which is relatively common in Arlington. The Arlington High School Building Committee estimated that the 30-year debt exclusion would result in an annual impact to residents that would peak at roughly \$500-800 (for the average assessed value of a condominium and single-family home, respectively).²⁵

Average assessed values of single-family homes grew 41% between FY2016 and FY2020, with an average annual growth of 9%. The average tax bill on single-family homeowners grew 21%, with an average annual growth of 5%. While the growth in taxes is slower than the growth in values, single-family homeowners with

²⁵ Arlington High School Building Project, Report to Town Meeting, April 2019.

limited incomes must still find a way to pay on average \$1,633 more in taxes in FY2020 than in FY2016.²⁶ Growth in assessed values and taxes is also uneven across Arlington. Despite a relatively constant residential tax rate, in 2019 the combination of the debt exclusion, the tax override, and a marked increase in assessed value, the increase in many residents' individual tax bills was steep. The Massachusetts Avenue corridor, which overlaps with most of Arlington's multifamily districts, saw a 21% increase in assessed value and a 16% increase in the individual tax bills from FY18 to FY19.²⁷ Even though the tax rate has actually gone down in recent years, with market values rising as fast as they have, the amount of taxes owed is increasing.

Households meeting certain demographic and income criteria are eligible for some property tax relief. Low-income seniors can receive a \$1,300 exemption on property taxes if their income is roughly \$27,000 if single and \$40,000 if married. Certain veterans, the blind, and others are also eligible for exemptions. However, there are no exemptions to the tax override.

Participants in this plan's public engagement were concerned that Arlington's tax policies were overly burdensome to seniors on fixed incomes who are unable to afford large tax increases. One resident said, "A lot of the housing that's being built [in Arlington] is luxury housing. People move to Burlington or Woburn where they can buy condos and won't have a high tax rate. We're beginning to lose people in the older bracket. It's not directly discrimination, but it works that way."

Assessment: Property tax bills can represent a significant expense for some Arlington residents, particularly those with low incomes and those on a fixed income, who are often seniors and people with disabilities. Instability in tax bills could put a burden on those residents and, when that burden disproportionately falls on protected classes, could represent a fair housing violation. Property tax exemptions can be used to mitigate potential fair housing concerns. However, by offering exemptions to certain protected classes and not others (particularly people with disabilities generally), the exemption system may be introducing its own form of discrimination.

Regional Coordination

Arlington participates in several regional initiatives and committees that directly or indirectly impact fair housing:

- The Metro Mayors Coalition is a group of 15 cities and towns in Boston's inner core. The Coalition's Regional Housing Task Force aims to work together to increase housing stability for all of the region's residents. Mostly notably, in 2018 the Coalition announced a housing production goal of 185,000 new units by 2030 across the Coalition communities, emphasizing not only housing production but the importance of building a diversity of housing types and stresses the importance of providing housing for vulnerable residents, including people with disabilities and low- and moderate-income households.
- Arlington participates in the North Suburban Consortium (NSC), an eight-member consortium led by the Malden Redevelopment Authority, which administers federal HOME funds for affordable housing development. HOME funds will be discussed in greater detail in the following section.
- Arlington is a member of the Balance of State Continuum of Care (CoC), a regional organization managed by DHCD that coordinates homeless services provided by public and private agencies. The CoC will be discussed in greater detail in the State Resources section.

²⁶ Town of Arlington Tax Classification Hearing FY2020, December 2, 2019.

²⁷ Town of Arlington Office of the Board of Assessors, memo re: Recent Tax Assessment and Tax Bill Changes in Arlington Explained

Assessment: Arlington actively participates in multiple regional housing initiatives that advance housing choice and affordable housing programs; a lack of regional coordination is likely not a barrier to fair housing in town.

Town Resources

Community Development Block Grant Program

The Community Development Block Grant Program (CDBG) is a federally funded program administered by the Town of Arlington. CDBG funds can be used for numerous activities serving low- and moderate-income populations, including but not limited to housing activities. The administering agency (in this case the Town) has significant discretion in how to spend the funds.

According to the Town's Consolidated Plan, Arlington spends a portion of its CDBG funds on new ownership and rental affordable housing development and rehabilitation and capital improvements for existing affordable housing developments. In past years, the Town also provided grants to individual low-income homeowner households to rehabilitate or repair their homes, though a lack of eligible households has caused this program to wind down over the past three years. Beyond housing, the Town also spends CDBG funds on public infrastructure (such as sidewalk reconstruction to improve ADA compliance), public facilities (such as playground development), public services (such as youth counseling and job opportunities), and program administration.

In program year 2019 (which ran from July 1, 2019 to June 30, 2020), the Town awarded more than half of CDBG funds to projects that improved public infrastructure and existing affordable housing units, according to that year's Consolidated Annual Performance and Evaluation Report (CAPER). Overall, the Town reports that its CDBG activities served 7,535 households in program year 2019, though it notes the COVID-19 pandemic disrupted public services delivered and the reporting of data.

The Town also reports the racial and ethnic makeup of CDBG assisted households, with race reported separately from ethnicity, which is limited to Latino and not Latino categories. According to the 2019 figures, 91% of recipients are White, 3% are Black, 7% are Asian, and 0% are indigenous. No "other race" category was reported. Approximately 97% of recipient households were not Latino, and 3% were Latino. Compared to estimates of the racial and ethnic breakdown of residents, CDBG-assisted households are more likely to be White and not Latino and less likely to be Black, Asian, and Latino.

Table 4: CDBG-assisted households by race²⁸

Race	CDBG-Assisted Households	Percent of CDBG-Assisted Households	Percent of Town Population
White	6,841	91%	84%
Black or African American	190	3%	4%
Asian	503	7%	15%
American Indian or American Native	1	0%	0%
Native Hawaiian or Other Pacific Islander	0	0%	0%
Other	Not reported	Not reported	1%
Total	7,535	100%	100%

Table 5: CDBG-assisted households by ethnicity²⁹

Ethnicity	CDBG-Assisted Households	Percent of CDBG-Assisted Households	Percent of Population
Latino	239	3%	5%
Not Latino	7,296	97%	95%
Total	7,535	100%	100%

HOME Funding

The US Department of Housing and Urban Development provides affordable housing block grant funding to localities through the HOME Investment Partnerships Program. Arlington receives funding collectively with eight nearby municipalities through an inter-municipal cooperative called the North Suburban Consortium (NSC). The Malden Redevelopment Authority (MRA) administers the funding on behalf of the eight municipalities. Funds are accessible in all eight communities, though there is no formula defining how much each community will receive. In

²⁸ Arlington Consolidated Annual Performance and Evaluation Report (CAPER), 2019; American Community Survey 2014-2018 5-year estimates. These population figures differ from those reported elsewhere in this report. For consistency with the data presentation in the Town's CAPER, figures reported here are drawn from the 2018 American Community Survey, multiracial households are reported in each racial category, and racial categories include Latino households for each race.

²⁹ Arlington Consolidated Annual Performance and Evaluation Report (CAPER), 2019. See footnote 28 for information on this data and how it relates to other data in this plan.

the 2015-2019 Consolidated Plan, MRA anticipated \$6.7 million in HOME funding would be spent on affordable housing development across its jurisdiction, \$600,000 would be spent on homebuyer assistance, and \$812,000 would be spent on program planning and administration. In 2017, NSC provided \$1.35 million in HOME funds to the Housing Corporation of Arlington for the adaptation of the former Arlington Heights Methodist Church into nine affordable housing units, including two wheelchair accessible units and units for formerly unhoused individuals. The project was also supported by the Town of Arlington through CDBG and Community Preservation Act funds.

Community Preservation Act

The Town of Arlington adopted the Commonwealth's local-option Community Preservation Act (CPA) in 2014.³⁰ CPA adds a surcharge to annual property tax bills and provides additional state funding that must be used for specific purposes. In Arlington, CPA is calculated as 1.5% of the property tax, with exemptions for low-income households and on the first \$100,000 of assessed value for all properties. Since 2016 (the first year CPA began collecting funds), the Town has raised \$1.3-1.7 million annually in the local surcharge, and \$233,000-\$490,000 annually in state funding. CPA funds must be spent on affordable housing, Historic Preservation, Open Space and Recreation, with minimum of 10% of each year's funding spent on each category.

Each year since fiscal year 2017, Arlington has budgeted 21%-37% of its CPA spending for housing.³¹ Most years housing was budgeted with 21%-26% of spending, but anticipated spending on housing was increased for fiscal year 2021 to support tenants during the ongoing COVID-19 pandemic. Other than COVID supports, Arlington's CPA budget for housing has contributed to the rehabilitation of existing public housing and development of new affordable housing units (from small to mid-size buildings).

Table 6: CPA budgets by spending category, FY2017-21

Fiscal Year	Open Space and Recreation	Historic Preservation	Housing	Reserves	Expenses
2017	44%	19%	26%	6%	5%
2018	27%	28%	21%	21%	3%
2019	62%	8%	26%	0%	4%
2020	29%	47%	22%	0%	2%
2021	44%	16%	37%*	0%	3%

Source: Arlington Community Preservation Act Reports to Town Meeting, 2016-2020

* Includes reserves for held for housing

Arlington Housing Trust Fund

At the November 2020 Special Town Meeting, members of Town Meeting approved the creation of a municipal Affordable Housing Trust Fund (AHTF). The AHTF will serve as a centralized resource to collect and spend funds for affordable housing development. Funds will likely include CPA, inclusionary zoning payments, developer fees, and general funds appropriated for housing. AHTFs provide greater flexibility in spending funds for housing

³⁰ <https://www.communitypreservation.org/databank/info>

³¹ Arlington Community Preservation Act Reports to Town Meeting, 2016-2020

compared to Town government accounts, while still providing robust public oversight. Arlington's AHTF will likely become an important resource for affordable housing development and housing programs into the future.

Emergency Rental Assistance Program

Since the start of the pandemic, the Town has funded two rounds of the Arlington Emergency Tenant Assistance Program, which provides rental assistance for households earning up to 50% AMI who are at risk of losing their housing due to the economic instability caused by the COVID-19 pandemic. Selected program funding recipients received assistance in the form of up to \$2,000 per month for no more than six months, paid directly to their landlord. The assistance program is funded through an additional allocation of Community Development Block Grant funds known as CDBG-CV made possible by the Coronavirus Aid, Relief, and Economic Security (CARES) Act. This Program is funded with \$400,000 of Community Development Block Grant (CDBG-CV) funds and \$300,000 in Community Preservation Act funds.

To qualify for the program, households must submit a pre-application, and those who are deemed eligible are entered into a lottery. Those selected in the lottery must complete a full application for assistance and provide documentation proving their eligibility under the program rules. If they are eligible, the Town will pay their landlord up to \$2,000 per month for up to three months.

The pre-application to the program is administered in English through an online form; Frequently Asked Questions and guidance documents were provided in simplified Chinese, Japanese, Spanish, and French. An additional caveat in the FAQ document indicated that those who cannot fill out the online form because of disability, lack of internet access, a language barrier, or some other reason can call or email the Town for assistance. The pre-application asks about race and ethnicity for data collection and reporting purposes, and the application does not ask about immigration status.

A second town-specific program is the Town's Arlington COVID-19 Relief Fund, which was set up by the Town and the Arlington Health and Human Services Charitable Corporation. This program is supported by private donations (more than \$100,000 as of fall 2020). This is a one-time grant that can be used towards housing costs and other basic household expenses.

Past Programs

The Town of Arlington formerly offered home loan improvement grants. Through CDBG, the Town provided grants to individual low-income homeowner households to rehabilitate or repair their homes, though a lack of applications by eligible households caused the Town to eliminate this program.

Assessment: With CDBG, HOME, and CPA, Arlington has significant resources at its disposal to address access to fair housing opportunities, and some of those resources are already being spent on housing. There could be more of an emphasis on addressing fair housing concerns and housing access through CDBG, CPA, and the AHTF funding (as that latter agency becomes established). Though trade-offs between spending goals can be difficult, the Town could shift more of these resources to housing. The recent shift of CPA funds to address housing need during COVID-19 could serve as a precedent for re-balancing these flexible funding sources toward housing. Doing so could also help more HOME funds to be spent in Arlington.

Local Policies and Tools Recommendations

- Pass a resolution that codifies Arlington's commitment to fair housing.
- Reduce the overall complexity of the Zoning Bylaw through recodification.
- Allow duplex development by right in nominally single-family districts where two-family dwellings were historically commonplace.
- Make zoning changes to facilitate the development of multifamily housing options.
 - Allow three-family, townhouse, and multifamily housing options by right in districts nominally meant for them.
 - In districts intended for higher densities, only allow single-family developments by Special Permit, if at all.
 - Amend restrictive dimensional and parking requirements for multifamily uses that make development infeasible in districts where those uses are appropriate.
 - Ensure zoning conforms with new state-level requirements for MBTA communities.
- Adopt accessory dwelling units by right, and provide loans or grants to homeowners to develop those units in exchange for affordability restrictions.
- Consider distinct density and dimensional regulations for development that is 100% affordable housing.
- Provide opportunities for housing developments that would trigger the Town's inclusionary zoning requirement.
- Amend Arlington's local preference policy to be more welcoming to nonresidents.
- Raise the threshold for EDR review, particularly on major corridors, replacing that review with performance standards for new developments.
- Limit subjective criteria in discretionary reviews, eliminate review standards that perpetuate segregation, and define clear performance and design standards that projects will be reviewed against.
- Consider approvals by right for developments that are 100% affordable housing.
- Draft guidelines for addressing accessibility concerns on historic properties.

- Institute clear conservation performance standards for properties in conservation areas zoned for multifamily uses. These standards, if followed, should ensure approval from the Conservation Commission.
- Add a Housing Working Group to the Arlington Human Rights Commission that focuses on fair housing issues. A liaison from the Department of Planning and Community Development for this working group should coordinate interdepartmental housing concerns and policy.
- Create a protocol for responding to fair housing complaints or allegations of fair housing violations that is uniform across commissions. The protocol should designate a commission and a staff person with responsibility over the complaint process.
- Change the existing complaint-driven code enforcement system to one with regular, proactive inspections.
- Explore alterations to the Town Meeting schedule and virtual participation methods that could make Town Meeting membership feasible for people who cannot join Town Meeting under the current procedures.
- Institute Equity Impact Assessments for each item on the Town Meeting warrant, particularly housing and development related items.
- Explore expansions to Arlington's tax exemption system that could apply to all income-eligible members of protected classes.
- Set a minimum annual dollar amount and minimum percent of CPA funds (above the statutory minimum) and CDBG funds that will go to address housing needs.
- Continue working with affordable housing providers and strategically using CPA and CDBG funds to create opportunities for HOME funding.
- Assess alternative funding resources such as housing bonds.

State Policies and Tools

Although this Plan is primarily focused on the local level, it is important to recognize the state-level policies and programs that impact fair housing access.

Expanded Fair Housing Protections in Massachusetts

Massachusetts has its own fair housing law contained in M.G.L. Chapter 151B, described at [Fair Housing Legal Framework](#) on page 17.

Chapter 40B

Massachusetts' Chapter 40B is a landmark law that creates a disincentive for communities wishing to restrict affordable housing production. For communities in which less than 10% of homes are officially counted affordable housing, developers of mixed-income housing may build beyond what is allowed under local zoning. The law also provides a mechanism for communities who voluntarily want to override their zoning for a particular development in order to produce mixed-income housing or affordable housing. Chapter 40B is a major driver of affordable housing development in many suburban communities, where opposition to new housing (especially mixed-income housing) is well organized. The law is also regularly misunderstood as providing a target for affordable housing production, rather than a minimum threshold.

Resources Dedicated to Housing

The Commonwealth of Massachusetts has numerous resources dedicated to the production of housing, particularly housing options that are more accessible to those in some protected classes. Many of these programs are managed or regulated by the Department of Housing and Community Development (DHCD). These programs include (but are not limited to):

- Chapter 40R: Communities can adopt relatively dense zoning (typically near transit nodes) and receive direct payments from the state, plus additional payments for each permitted unit in the zoning district. Some communities, though not Arlington, are eligible for additional payments for new school children in that housing through Chapter 40S.
- Affordable Housing Trust Fund: The state's Affordable Housing Trust Fund provides direct financing to affordable housing development.
- Housing Choice Communities: Communities that permit a significant amount of new housing units and have implemented pro-housing reforms are eligible for special funding from the state.
- Rental Vouchers: Massachusetts provides low-income households with vouchers for rent payments. These include managing federal Section 8 vouchers, state MRVP vouchers, and project-based vouchers.
- Federal programs: Massachusetts manages several federal funding programs, such as the Low-Income Housing Tax Credit program and the HOME Partnership fund.
- Workforce Housing: A special fund financing housing for moderate- and middle-income households.
- Multiple first-time homebuyer assistance products through quasi-public agencies such as the Massachusetts Housing Partnership.
- Multiple homeowner repair, home improvements, and weatherization/energy efficiency programs, lead removal for homeowners and landlords, and energy assistance programs for both owners and renters available through quasi-public agencies and nonprofits.
- Chapter 40T: This law provides DHCD the right of first refusal to purchase affordable housing units where affordability restrictions are expiring.
- Continuum of Care: For a region of Massachusetts that includes Arlington, DHCD manages a Continuum of Care (CoC), which is a federally approved organization that manages funding for services benefiting people experiencing homelessness. The CoC serving Arlington is called the "Balance of State Continuum of Care."

In addition to these resources, all marketing and selection of affordable housing units must follow Affirmative Fair Housing Marketing guidelines per DHCD.

COVID-19 Resources

In addition to the federal foreclosure and eviction prevention mechanisms, the Commonwealth instituted a statewide eviction moratorium that was more robust than that of the CDC, though it expired in October 2020.³² The Department of Public Utilities (DPU) issued a moratorium on the shutting off of residential utilities while the COVID-19 state of emergency remains declared. In the wake of the expiration of the state-level eviction moratorium, the Commonwealth expanded emergency rental assistance and other supports, though the overall funding could not cover the rent of all impacted households and delivery of funds to affected households has not unfolded smoothly.

Rent Control and Rent Stabilization

A statewide referendum in 1994 banned rent control in private housing in all parts of the state. At the time, only Boston, Cambridge, and Brookline allowed rent control. Those communities voted to uphold rent control. A slim majority of Massachusetts voters approved the ban, including most voters in Arlington at the time. Rent control remains controversial. Communities in "hot markets" across the US are reconsidering rent stabilization techniques, as some have seen year-over-year rises in housing costs greater than 10%. This level of housing cost growth is unsustainable for most households but is especially deleterious to housing stability for members of protected classes. The States of Oregon and California recently passed universal rent stabilization measures that cap annual rent increases at 7% and 5% annually. Such stabilization measures are prohibited under Massachusetts' blanket ban on rent control, even at the local level.

Assessment: The state adds several important protected classes to the federal list. Notably, state law prohibits discrimination against households using rental vouchers, though income discrimination remains common, both from landlords who are unfamiliar with state law and those who choose to engage in that discrimination knowingly. A lack of state protections does not appear to be a major barrier to fair housing access, though enforcement of the law (discussed ore below) is. Chapter 40B is an important way to encourage affordable housing in high-opportunity areas, which can positively contribute to fair housing access.

Arlington Housing Authority

The Arlington Housing Authority (AHA) is the local public housing authority serving the Arlington community. The AHA owns and operates income-restricted affordable rental housing and administers rental housing vouchers that help to pay market rents for low-income households in private housing. As a semi-independent arm of government that meets housing needs, the AHA can play a unique role in addressing fair housing choice.

³² <https://www.arlingtonma.gov/departments/planning-community-development/economic-development/covid-19-business-resources>

Housing Authority Properties

The majority of AHA-owned units are designated for elderly or disabled residents. Elderly and disabled housing units are found in Drake Village, Chestnut Manor, Winslow Towers, Hauser Building, and Cusack Terrace. Menotomy Manor is a family housing development with both duplex and multi-unit buildings. AHA properties are located across Arlington, primarily along the Massachusetts Avenue corridor. (See [Deed-Restricted Affordable Housing Stock](#) on page 85 for more information on the location of affordable housing.) The AHA also owns the Francis M. Donnelly Residence, a residential home for thirteen developmentally disabled adults.³³ All properties were built in the latter half of the 20th century, with Menotomy Manor being the oldest property, built in 1950. In recent years, Arlington has used Community Preservation Act (CPA) funding to repair and rehabilitate AHA properties. The AHA also maintains an extensive document on policies for maintenance including refurbishment, emergency repairs, and regular preventative maintenance items delineated by month. Focus group summaries also indicated a need for central air conditioning and ventilation in affordable housing units, as well as specific needs for disabled individuals that are not being met.

Arlington Housing Authority's Notice of Right to Reasonable Accommodation indicates that residents can request accommodations in policies or communications with the Housing Authority as well as changes or repairs to their housing units. Residents must show that the request is necessary and reasonable, and that the housing authority will respond to all requests as soon as possible. For applicants who may not speak English, all visitors are provided with an "I speak" card to identify a preference for language assistance. An AHA staff member who speaks the language will be available for interpretation and documents will be made available in primary languages.

Table 7: Arlington Housing Authority units by type of assistance

Total Housing Units	896
Units for Elderly or Handicapped Residents	520
Family Housing Units	179
Section 8 Vouchers	422

Housing Authority Residents

The AHA serves elderly and disabled populations as well as families across its properties. Menotomy Manor serves families, while Drake Village, Chestnut Manor, Winslow Towers, Hauser Building, and Cusack Terrace serve elderly and disabled populations. Demographic information for these properties were provided directly by the AHA. Menotomy Manor is the only building with separate demographic information provided; data is aggregated for the remainder of the properties.

Elderly and Disabled Housing

Demographic information for elderly/disabled populations in all housing authority properties except Menotomy Manor is provided below. Tables showing the complete population breakdown for elderly/disabled housing are

³³ Town of Arlington CDBG CAPER, 2015-2019.

found in [Appendix D: Arlington Housing Authority Resident Population Tables](#) on page 125. Data could not be disaggregated by age and/or disability.

- Households are comprised of one or two members.
- 12% of households served are non-citizen households.
- 78% of residents are White, 5% are Black, and 16% are Asian, and less than 1% are Native American. 3% of households are Latino.
- The AHA racial and ethnic population figures are reported differently than the Census data for the total population, and therefore the two are not scientifically comparable. Nonetheless, rough comparisons can be made, and the racial and ethnic breakdown of elderly/disabled housing residents and the total population are similar.
- The majority of male residents are elderly (65 or older), at 76% of the population served. 79% of female residents are aged 65 or older.

Family Housing (Menotomy Manor)

Menotomy Manor is the only AHA property for families. Demographic information for this property is provided below. Tables showing the complete population breakdown for family housing are found in [Appendix D: Arlington Housing Authority Resident Population Tables](#) on page 125.

- There is a wider range of household sizes for Menotomy Manor, the only family housing property under the AHA.
- 12% of households are headed by non-citizens.
- 50% of households are White, 19% are Black, 30% are Asian, and less than 1% are Native American. This is a marked departure from the populations served by the other properties and Arlington's general population, which are majority White. 7% of households are Latino.

Assessment: The demographics of AHA properties vary significantly between elderly/disabled housing and the family housing at Menotomy Manor. Residents of the elderly/disabled housing are more reflective of Arlington's racial and ethnic makeup as a whole, while family housing residents include proportionally more households of color than Arlington generally. The AHA's elderly/disabled housing provides fair housing choice for protected classes by age and disability status, of course. Menotomy Manor provides fair housing choice to protected classes by race and ethnicity, potentially in addition to other protected classes that are not tracked in AHA data.

Housing Vouchers

Housing vouchers provide a subsidy to low-income households seeking housing in the private rental market. A voucher holder pays 30% of their income in rent, and the subsidizing agency pays the remainder, up to the "Fair Market Rent" designated by HUD for the community. The landlord is paid the full "Fair Market Rent" for renting their property.

Waiting List

Receiving a voucher requires applying for the voucher waiting list, a process centralized across communities and which is run by the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials through its subcontractor GoSection8. The Centralized Waiting List was opened in January of 2013 and has remained open since then.

The AHA's voucher waitlist is prohibitively long. According to information provided in the public engagement process, some voucher holders were on the waitlist for upwards of six years before finally obtaining a voucher. Other tenants reported difficulties in completing all necessary paperwork upon finally reaching the top of the waitlist, with agencies refusing to provide accommodations during medical emergencies. Unfortunately, public engagement participants did not shed light on how successful the efforts to reach marginalized communities, as those who the AHA did not reach were, of course, not included in the focus group. Looking solely at the experience of those who did apply for vouchers would provide an incomplete assessment of how effective the outreach efforts were.

Availability of Voucher Units

For households that have obtained vouchers, finding a place to use them is not an easy task. One of the more significant barriers identified by housing providers is the cost of housing. Housing choice vouchers allow residents to select a housing unit on the open market, provided that it meets certain cost and quality guidelines; the voucher holder pays an affordable rent based on their income, and the voucher subsidy covers the remainder. However, there is a significant gap between "Fair Market Rent" (FMR) set by HUD and paid by rental housing vouchers and rents in high-cost markets like Arlington. Arlington's median gross rent is more than fair market rents for all but the largest units. Arlington's median gross rent, according to either Census (\$1,379) or PadMapper (\$1,950) data, is higher than 2015 Fair Market Rents for all unit sizes other than those with four bedrooms. Furthermore, one provider noted some cases in which a voucher holder's rent, while originally within guidelines, was raised to beyond the fair market rent.

The AHA could consider Small Area FMRs as a way to bridge this rental price gap. Small Area FMRs are based on the average rents at the submarket level, rather than the regional level. The AHA's current payment standards are lower than what HUD allows under the Small Area FMRs for Zip Codes 02474 and 02476. Voucher holders would be able to rent apartments that are approximately \$200-\$300 more per month than current payment standards, thus increasing the number of eligible apartments.

Rental Application Barriers

High application fees for rental housing are a significant barrier for voucher holders. Additionally, some landlords continue to refuse rental housing to prospective tenants based on decades-old criminal background checks or minor misdemeanors. The AHA asks applicants about convictions and pending criminal matters and encourages landlords to do so as well. HUD guidance advises landlords not to automatically disqualify tenants with a criminal record.

Assessment: Voucher holders face considerable barriers in the rental market, before even considering the effects of discrimination and stigma. The waiting list is prohibitively long, available apartments are difficult to find once

a voucher is obtained, and prospective tenants pay proportionally high rental application fees and face unreasonable screening measures.

Discrimination and Tenants' Rights

Many housing providers in the private market discriminate against voucher holders on the basis of their source of income, which is illegal in Massachusetts. A discussion of this and other forms of discrimination in the housing market is found in [Discrimination by Real Estate Professionals](#) on page 91.

Voucher holders faced many barriers in asserting their rights as tenants, as a result of both lack of information and well-founded fear of retaliation. Participants in this plan's public engagement process cited difficulties finding clear and readily available information on tenants' rights, whether through the Town's website or elsewhere. One participant was unsure how her living situation would be categorized in the Zoning Bylaw and what her landlord's responsibilities were. Another could not find information about how to request a reasonable accommodation, or whether her need would qualify. Describing the process of seeking information on her rights as a tenant, she said: "You don't realize how tough something is until you actually experience it."

Application Process

Income-eligible households can apply for AHA assistance through the process described below, though the application may not result in housing assistance for many years. (See [Waiting List](#) on page 79.) Applying to live in AHA housing or receive a housing voucher involves a single, standardized "Preliminary Application," administered by the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials. Only one Preliminary Application is accepted for each family.³⁴ The Preliminary Application requests information such as the applicant's name and city or town (where head of household and spouse/partner live and work), telephone number, total number of family members, head of household's social security number, if the applicant is 62 years of age or older or disabled, total gross family income, race, and whether the applicant has been rejected by a participating housing authority in the past.

Selection Process

Except for special admissions, AHA tenants and voucher recipients are selected from the Waiting List, under criteria set forth in the AHA's Administrative Plan. The AHA places families on the Waiting List according to priority, and those families are selected according to lottery number within their priority category. The AHA's priorities are defined as follows:

- Priority I: Arlington residents who were recently displaced from their last residence by documented government action through no fault or negligence of their own, or were recently displaced from their last residence due to fire, flood, earthquakes or federally declared and recognized natural disaster.
- Priority II: Applicants who are non-residents and meet one of the preference requirements under Priority I.

³⁴ Information in this section is drawn from the Arlington Housing Authority Housing Choice Voucher Action Plan, 2019.

- Priority III: Applicants who are Arlington residents themselves, or who have a family member who works or have been hired to work in the Town of Arlington.
- Standard Applicants: All others.

Priority I applicants are serviced first, Priority II applicants second, Priority III applicants third, and standard applicants last. This priority system can only be implemented by the AHA only after it has complied with HUD requirements for the adoption of these priorities. HUD requires also housing authorities to target extremely low-income applicants (those with household incomes 30% or less than the Area Median Income). The AHA can waive the priority system for extremely low-income applicants to meet HUD requirements. In some cases, when HUD awards a Housing Authority program funding for a specified category of families on the Waiting List, the AHA must select applicant families in the specified category.

Housing Authority Governance

The AHA is overseen by the Housing Authority Board, which is comprised of five members.³⁵ Four members are voted by town, and one is appointed by the governor. Currently, two board members are women and three are men, while one is Latina and four are White. One member of the board is an AHA tenant. (Massachusetts' recently passed Housing Choice legislation requires that housing authority boards include at least one housing authority tenant.) The board elects a chair from its members annually. In 2020, the board elected its first AHA tenant as the board chair, though he retired the next month.^{36,37}

Four AHA properties have established tenants' associations. Menotomy Manor, the family housing development, has not had a tenants' association in nine years, but the Housing Authority Board voted to reestablish its tenants' association in February 2021.³⁸

Assessment: AHA governance bodies need to reflect the population the AHA intends to serve. Currently, with a majority white male board of mostly non-tenants, governance does not appear representative. To ensure fair housing choice is a consistent part of AHA governance, the AHA should help tenants from diverse backgrounds be part of the governance structure, as part of tenants' associations and as candidates for the board.

Arlington Housing Authority Recommendations

- Explore the voluntary adoption of Small Area Fair Market Rents or exception payment standards.
- Eliminate rental application fees for voucher holders.
- Encourage landlords to follow HUD's guidance on the use of criminal backgrounds in screening tenants.

³⁵ https://www.arlingtonhousing.org/board_of_directors.php#

³⁶ <https://www.wickedlocal.com/story/arlington-advocate/2020/06/04/arlington-housing-authority-elects-first-tenant-as-chairman/114630086/>

³⁷ <https://www.yourarlington.com/arlington-archives/town-school/elections/18540-mitropoulos-031821.html>

³⁸ <https://patch.com/massachusetts/arlington/housing-authority-board-advances-process-reestablish-menotomy-tenants-group>

Nonprofit Capacity

Nonprofits play a key role in addressing housing needs, including fair housing choice, in Arlington. Not only are nonprofits able to marshal private philanthropic resources, but they are also often the conduits for public dollars, including money spent on affordable housing development and the delivery of housing-related social services.

Housing Providers

Housing Corporation of Arlington

The Housing Corporation of Arlington (HCA) is a nonprofit incorporated in 1990 that provides affordable housing to low- and moderate-income residents of Arlington and surrounding communities opportunities in the town. Originally offering downpayment assistance to moderate-income first-time homebuyers, HCA pivoted to acquisition of existing duplexes that were below market rate, eventually acquiring larger apartment buildings and developing its own affordable housing projects. In 2000, Arlington's Select Board chose to prioritize affordable housing by increasing its allocation of the town's CDBG funds. Since then, the Town's inventory of affordable housing and the HCA have grown. Thanks to this and other financial supports, HCA owns and operates 60 studios, 1-bedroom, and 2-bedroom units throughout the town and another 30 affordable units in 15 two-family houses. Even so, the HCA has a waiting list of upwards of 1,000 applicants. The new projects described earlier in this plan will increase the HCA's portfolio by more than 50 new affordable units. The HCA also provides housing advocacy and community outreach services and offers a Homelessness Prevention Program, which provides direct assistance to those facing housing instability to stay in their housing or find suitable new housing. Since its creation in 2001, the Homelessness Prevention Fund has made grants that total \$597,000, and assisted 472 households.³⁹

Caritas

Caritas Communities is a nonprofit homelessness prevention nonprofit working across the Boston region. Caritas operates two single-room occupancy buildings in Arlington with a total of 35 units. These buildings provide permanent housing opportunities for very low-income individuals, roughly half of whom were formerly homeless. Many Caritas residents have lived in their homes for more than five years. Caritas provides wrap-around services, such as connections to healthcare, affordable food, and employment providers.

Nonprofits Providing Housing-related Services

- **Greater Boston Legal Services (GBLS)** is a regional nonprofit legal services provider. Their housing division works in eviction defense, foreclosure prevention, Americans with Disabilities Act enforcement, tenant advocacy, and shelter placement. Over one-quarter of their caseload deals with housing, making that the most common legal issue in their caseload. This includes evictions, issues relating to Section 8 voucher use, and maneuvering landlord-tenant relations (rent increases and assistance to households

³⁹ Arlington Housing Production Plan, 2016.

making partial or late rent payments).

- **Arlington EATS** is an anti-hunger organization serving Arlington residents. The nonprofit runs a weekly food pantry/market, offers emergency food assistance, senior food assistance, and SNAP enrollment. Arlington EATS staff report many served by the nonprofit are renters in East Arlington and Arlington Center, though they serve homeowners as well.

Assessment: With regards to production of affordable housing, Arlington benefits from a relatively robust nonprofit field for a town of its size. Many smaller towns further from Boston's inner core have no active CDC or nonprofit housing developer. That is not the case in Arlington, which has two active nonprofits providing housing. The issue is not a lack of capacity, but a lack of resources to acquire and develop affordable housing.

By contrast, the ecosystem of nonprofits providing housing-related services is not very robust. Legal services nonprofit staff cited the benefits of a centralized referring agency in neighboring Somerville and Cambridge, which accept direct referrals from residents and receive direct funding from city agencies, allowing them to be proactive at the local level. Arlington does not have this capacity. Furthermore, Arlington has no dedicated nonprofit addressing fair housing specifically. This glaring deficit is discussed more on [Fair Housing Education and Enforcement](#) on page 97.

Housing Stock

To achieve fair housing goals, Arlington must have a housing stock that meets the needs of protected classes; that housing must be affordable to protected classes for it to be truly available. A thorough analysis of Arlington's existing housing stock can be found in [Appendix B: Housing Characteristics and Costs](#), parts of which are summarized here. Because housing is expensive to build and can be maintained for a very long time, the composition of a community's housing can be difficult to change. Older communities can face added barriers to providing needed housing due to the difficulty of upgrading historic buildings. Addressing impediments to fair housing within the existing housing stock therefore requires a concerted effort.

For the purposes of this summary analysis, Arlington's housing stock is divided into two categories: the largely unrestricted private housing market that provides most of the town's housing at market rates and the supply of deed-restricted affordable housing available only to income-eligible households.

Unrestricted (Private Market) Housing

Supply Growth

Like the region as a whole, Arlington's current housing stock does not meet demand for housing in the town. This lack of supply results in rising home prices. Between 2010 and 2016, the 15 cities and towns of the Metro Mayors Coalition (which includes Arlington) added nearly 110,000 residents and 148,000 new jobs, but only

permitted 32,500 new housing units.⁴⁰ For its part, Arlington only permitted 360 units in that timeframe.⁴¹ This mismatch between new housing demand and new housing supply results in upward pressure on housing costs, which disproportionately affects protected classes with lower household incomes. Given Arlington's already high prices within the region, cost increases are felt acutely.

Assessment: The limited housing supply and limited growth in supply increase prices, which limits access to Arlington's housing to those who are most able to pay rapidly rising prices. Limited access disproportionately impacts members of protected classes, as many (though not all) members of protected classes have lower incomes than the population generally.

Characteristics

Bedrooms

Arlington's housing is nearly evenly split between smaller units with zero to two bedrooms and larger units with three or more bedrooms. Two thirds of all housing in town are either two- or three-bedroom units. Larger units can more easily accommodate families, while smaller units can be appropriate for smaller families, singles, young adults, and seniors. The overall bedroom mix of Arlington's housing could meet the needs of a range of protected classes, as this variety of sizes can accommodate people with a variety of housing needs. However, the presence of a range of housing sizes does not indicate whether those homes are available or affordable. While rental costs for smaller units in Arlington are low relative to the comparison region, the total costs and costs on a per-bedroom basis are still very high.

Units in Building

The number of units in a residential building influences the cost of those units to residents, the ability to provide more units accessible to people with disabilities, and the ability to provide more housing in areas of opportunity. More than two thirds of Arlington's housing is located in single-family homes. These homes must carry the entire land cost of the underlying land parcel within the cost of the home, resulting in a higher cost for residents. Single-family homes are also less likely to be accessible to people with disabilities and effectively reduce the amount of housing that can be built in high-opportunity areas.

Accessibility

Arlington's existing housing poses many challenges for people with disabilities. The overwhelming majority of Arlington's housing was built before the passage of the Americans with Disabilities Act (ADA) in 1990, and even many of the newer homes in Arlington (because they are single-family homes) are not subject to the ADA. Consequently, very little of Arlington's housing is likely to be accessible for people with limited mobility, such as ambulatory disabilities.

Assessment: While the relatively even split of Arlington's housing by number of bedrooms could increase diversity and residence by members of some protected classes, the high proportion of single-family homes and older homes creates barriers in the form of costs and inaccessibility.

⁴⁰ MMC Housing Task Force, 2018

⁴¹ MAPC data

Development Trends

Recent development in Arlington has created proportionally more units in multifamily buildings that are subject to both the Americans with Disabilities Act and Arlington's Inclusionary Zoning Bylaw. These trends are encouraging from a fair housing perspective, inasmuch as they can increase overall housing supply, decrease land costs per unit, increase the number of accessible units, and increase the number of deed-restricted affordable housing units. However, new multifamily development tends to produce more smaller (one- to two-bedroom) units, which fail to relieve competition for larger units in Arlington, where large housing is largely occupied by families rather than roommate households.

Assessment: While new multifamily housing in town creates additional options for some protected classes, they do not typically create larger, family-sized units.

Deed-Restricted Affordable Housing Stock

Supply

There are approximately 1,129 deed-restricted affordable housing units in Arlington, according to the state's official Subsidized Housing Inventory,⁴² while there are 5,355 low-income households.⁴³ Low-income households not in deed-restricted affordable housing may find housing below median costs in the marketplace or have subsidized rents through housing vouchers, but the number of cost-burdened low-income households (3,720 per CHAS, 2012-2016) indicates those options are not broadly available in Arlington. Because members of some protected classes tend to have lower household incomes than the general population, the disconnect between the affordable housing stock and the needs of residents and potential residents amounts to an impediment to fair housing in Arlington.

Assessment: Arlington's supply of affordable housing does not meet the needs of income-eligible households living in the town, let alone residents who have been displaced by high costs or potential residents excluded by high costs.

Location

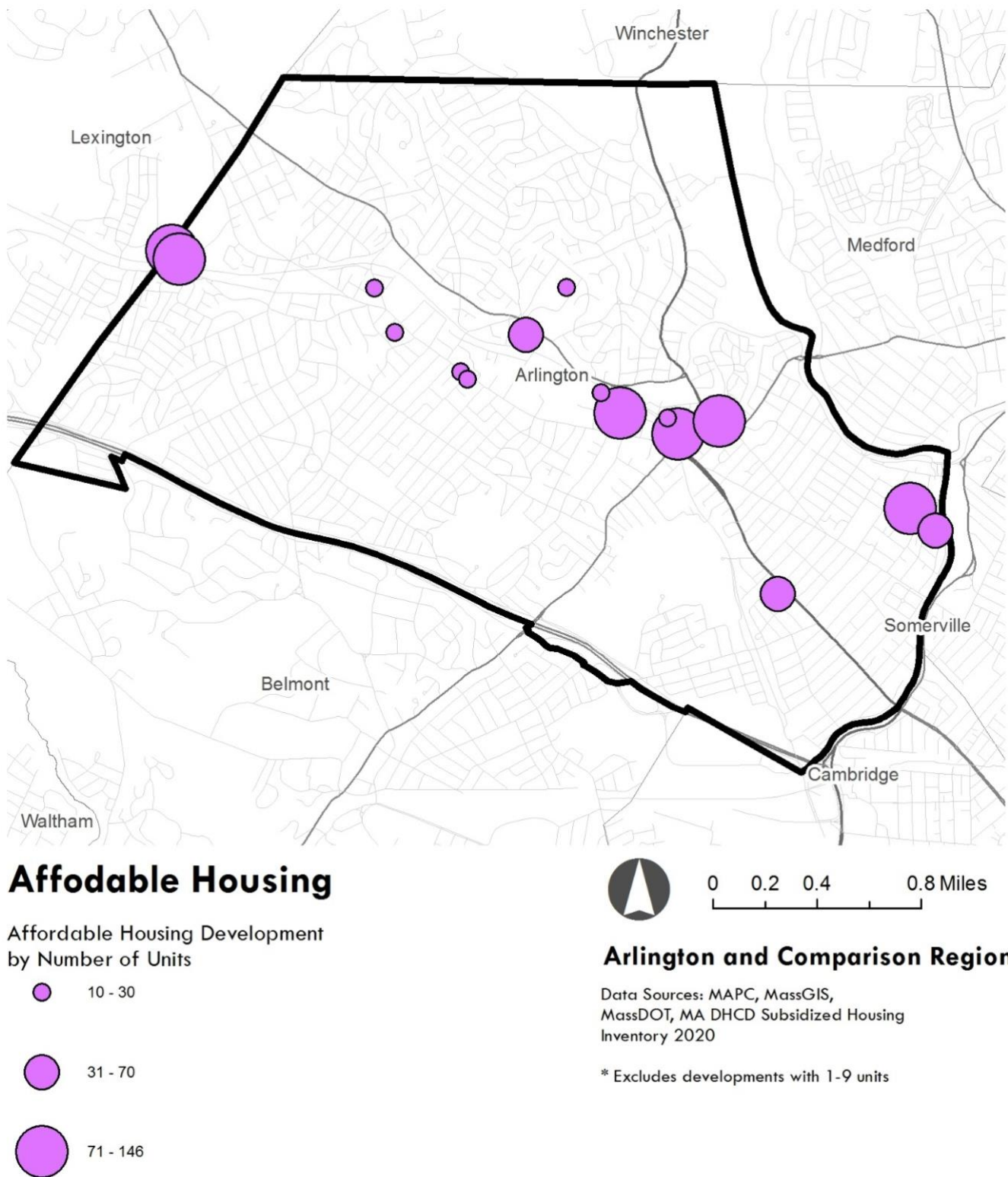
Existing affordable housing in Arlington is clustered in Arlington Center (572 units across a handful of developments around the neighborhood), Arlington Heights (216 units entirely at Drake Village and the Hauser Building), and East Arlington (175 units at Menotomy Manor). There are also a number of scattered site units elsewhere in the town. The clustering of affordable housing in a few areas could limit efforts to integrate Arlington, especially its predominately single-family neighborhoods away from Massachusetts Avenue. However, the existing affordable housing is also located near amenities and transit stops, allowing residents greater opportunity to access the job market and to meet everyday needs.

Assessment: The location of affordable housing in Arlington has mixed implications for Fair Housing. While its clustering in a few locations reinforces an historic trend of segregation, the locations of those clusters tend to have greater access to opportunity than single-family neighborhoods more reliant on automobile transportation.

⁴² Massachusetts Department of Housing and Community Development, 2020

⁴³ CHAS, 2012-2016

Figure 18: Arlington's Subsidized Housing Inventory (10+ units only)



Characteristics

Bedrooms

Arlington's affordable housing units tend to be one- to two-bedroom units. The Arlington Housing Authority's properties are largely dedicated to elderly and disabled housing, so many of the AHA units are one-bedroom apartments. The Housing Corporation of Arlington's units are largely a mix of one- and two-bedroom units (with larger units available in scattered-site homes and in development currently underway). Larger affordable housing units may also be available in for-profit projects with inclusionary units, such as at Arlington 360.

Accessibility

As Arlington's population ages, more affordable housing units will need to be accessible to people with disabilities, but the town only has a narrow set of accessible affordable housing options. Though nearly 600 Arlington Housing Authority units are in developments for the elderly and residents with disabilities, only a small portion of these units are fully wheelchair accessible. The AHA's family housing at Menotomy Manor was recently upgraded to provide a handful of full-access units. Like the AHA units, only a small portion of Housing Corporation of Arlington housing is fully accessible, though 25% of units in the HCA's newest development will be fully accessible. Several of HCA's older developments are in rehabilitated historic structures. These buildings may face more pervasive accessibility issues.

Assessment: Arlington's affordable housing stock, with its small sizes and (in the case of AHA's elderly housing) occupancy restrictions, favors smaller households, particularly elderly individuals or couples. Conversely, the existing stock of affordable housing does not suit the needs of family households with two or more children. The disproportionate availability of elderly housing over family housing is common in suburban communities, and disproportionately impacts racial and ethnic minorities in their search for affordable housing. Households including people with disabilities have especially few options for affordable housing in Arlington.

Lead-Based Paint

For older communities like Arlington, a notable risk is always the presence of lead-based paint. Lead is a powerful neurotoxin that causes severe physical, developmental, and intellectual disabilities in children who are exposed to it. The element was common in paint products through the mid-20th century and was officially banned in the US in 1978. Many older homes, especially homes that were poorly maintained, still have exposed lead-based paint. Landlords are required to remove lead paint or mitigate the risk of exposure when their tenants include a child age 6 or under. People selling homes must disclose any knowledge of lead paint in their home, but they are not required to mitigate it. Prevention of lead exposure and enforcement of lead-related laws has a mixed record.⁴⁴

Academic research has identified several social and demographic variables that correlate with lead-based paint exposure, including race, income, wealth, poverty status, education, vacancy, home values, tenure (renting versus owning), and more.⁴⁵ Households with lower incomes, those with less wealth, and renters (especially lower-income renters) are more likely to be exposed to lead-based paint, because homes at lower price points often suffer

⁴⁴ For a discussion of this subject, see the following: Rafael Mares. "Enforcement of the Massachusetts Lead Law and Its Effect on Rental Prices and Abandonment." *Journal of Affordable Housing*, Volume 12, Issue 3 (2003).

<http://www.duncankennedy.net/documents/Housing%20other%20articles/Enforcement%20of%20the%20MA%20Lead%20Law.pdf>

⁴⁵ For a summary of recent geographic research on lead-based paint poisoning and risk factors, see Table 1 in the following academic article: Cem Akkus and Esra Ozdenerol. "Exploring Childhood Lead Exposure through GIS: A Review of the Recent Literature." *International Journal of Environmental Research and Public Health*. (2014) <https://pubmed.ncbi.nlm.nih.gov/24945189/>

maintenance issues and tenants typically have less control over the maintenance of their home. Because Arlington households tend to be relatively high-income and homeowners, Arlington residents likely have less risk of lead exposure than other communities in the region. Indeed, the Massachusetts Department of Public Health considers Arlington a low-risk community based on its income, the percent of homes built before 1978, and the incidence of elevated blood lead levels.⁴⁶

Nonetheless, while the community as a whole may have a low risk of lead exposure, individual households may still be at risk. This is especially true for households of color, low-income households, low-income, renters and those with specialized housing needs.⁴⁷ Households in these groups are more likely to face a lack of available housing options, lack of control over lead-based paint abatement in the case of renters, a lack of knowledge about tenants' rights to lead abatement, and/or fear of retribution or eviction if the presence of lead is reported. This divergent risk of lead exposure is both a product of and driver of impediments to fair housing access, since households in protected classes may have no option other than to live in high-risk homes and may have even fewer choices if accessible homes are high-risk.

Assessment: While Arlington residents' overall risk for lead-based paint exposure is low, that risk is likely to be disproportionately high for members of protected classes.

Housing Stock Recommendations

- Plan for and permit new housing development that could address Arlington's share of the regional housing supply gap.
- Encourage new developments to include sufficient accessible units.
- Offer grants or low-interest loans to retrofit historic housing for accessibility.
- Prioritize family-sized units for new affordable housing units, including purpose-built affordable housing and inclusionary units.
- Conduct targeted outreach and provide tenant application assistance and support to persons with disabilities, including individuals transitioning from institutional settings and individuals who are at risk of institutionalization.
- Maintain a database of housing that is accessible to persons with disabilities.

⁴⁶ Massachusetts Environmental Public Health Tracking data: https://matracking.ehs.state.ma.us/Health-Data/Childhood_Blood_Lead_Levels.html

⁴⁷ See Jacobs, et al. "The Prevalence of Lead-Based Paint Hazards in U.S. Housing." *Environmental Health Perspectives*, Volume 110, Issue 10 (2002). <https://ehp.niehs.nih.gov/doi/pdf/10.1289/ehp.021100599> This nationwide analysis of lead paint prevalence finds 30% of renter households have significant lead-based paint hazards compared with 23% of owner households. Likewise, 38% of households in poverty have significant lead-based paint hazards in their home, versus 22% of households not in poverty. An estimated 29% of Black households have lead-based paint hazards, compared with 25% of White households, and 32% of Latino households versus 24% of non-Latino households have lead-based paint hazards. These are national estimates, so they are not directly applicable in Arlington,

Housing Market

The private housing market dominates the available housing in Arlington, and therefore market conditions are an important factor in fair housing matters. Unfortunately, the housing market in the greater Boston region and in Arlington specifically has a pervasive discriminatory effect on various protected classes. A lack of housing options, few opportunities for new development, and competition for housing by a growing population results in rising housing costs. Single-family home and condominium costs respectively rose 36% and 29% in Arlington between 2008 and 2018, a period of relatively stagnant wage growth. A thorough accounting of housing costs can be found in [Appendix B: Housing Characteristics and Costs](#) on page 118.

A surface-level reading of the market would find that market conditions affect all residents equally, but that insight would be inadequate. Because several protected classes face lower incomes in the labor market and have less wealth overall, they are less able to compete in this overheated housing market. This inability to compete for expensive housing especially affects people with disabilities, families with children, the elderly, and people of color. The net effect of this market-based discrimination is the same as explicitly state-sanctioned discrimination: Households from protected classes are excluded from the Arlington housing market, and therefore excluded from the Arlington community.

Members of protected classes who do find housing in Arlington sometimes compromise their housing needs in order to find a place to live in the community. One resident who participated in a focus group for this plan stated: “You need to weigh what you’re willing to give up to afford a place.” Another participant concurred: “[With] the places that are more affordable, there’s usually an issue. You’ll notice that things are unsafe or should have been fixed.”

Mortgage Lending

Mortgage loans are the primary way most homebuyers are able to purchase their home. A homebuyer pays a portion of the home price at the time of purchase (a “downpayment”), and a bank lends the homebuyer money for the remainder of the purchase price. Historically, mortgage lenders and related mortgage professionals acted to maintain racial and ethnic segregation, as well as to limit access to housing for single women, LGBTQIA+ individuals and households, and others. Because of this history, lenders are now required to report lending patterns by race, ethnicity, and sex. A thorough analysis of this data is included in [Appendix C: Expanded HMDA Analysis](#) on page 118, and portions of that analysis are excerpted here.

Loans by Race and Ethnicity

Of the 2,590 applications in Arlington where the race and ethnicity of the primary applicant was reported, the vast majority of applicants were White (78%; 2,011 people), followed by Asian (18%; 476 people). Just 53 applicants (2%) were Latino and just 23 (1%) were Black. There were eight applicants that were American Indian or Alaskan Native and five applicants that were Pacific Islander. While the share of Asian applicants seeking mortgages in Arlington is higher than the share of Asian residents currently living in Arlington (11.5%), the share of Latino and Black applicants is much lower than that of Arlington’s current population (4% and 2% respectively). In other words, those applying for mortgages in Arlington are even less likely to be Latino or Black

than Arlington's current population. The proportion of applicants for an Arlington home who are Black or Latino is less than half the proportion of Black or Latino applicants for homes in the comparison region.

Given the small proportion of mortgage applications in Arlington that are from Latino or Black applicants, these households would be accessing homeownership opportunities at lower rates than White households, regardless of the rate at which mortgages are approved by lenders. However, mortgage approval rates are not necessarily uniform across different racial and ethnic groups. Within the moderate- and high-income groups, which had the highest number of applicants, there are no clear trends. However, the denial rate for Latino applicants in the high-income category was three times that of White applicants (9% and 3% respectively), a troubling difference that indicates potential lending discrimination. In the moderate-income category, the difference in denial rates between White and Latino applicants was much less pronounced (8% and 7% respectively). While Asian applicants in the high-income category were denied mortgages at a higher rate than White applicants, in the moderate-income category the reverse was true. No Black applicant in the two higher income categories was denied a mortgage.

Table 8: Applicant Volume in Arlington by Income and Race/Ethnicity (HMDA, 2013-2017)

	Native American	Asian	Black	Latino	Pacific Islander	White
LOWEST-INCOME (\$0 - \$24,999)						
LOWER-INCOME (\$25,000 - \$74,999)		41	3	6	3	152
MODERATE-INCOME (\$75,000 - \$124,999)	4	170	6	13		527
HIGH-INCOME (\$125,000 +)	4	265	14	34	2	1,333
TOTAL APPLICANTS	8	476	23	53	5	2,011
PERCENTAGE OF APPLICANTS	0%	18%	1%	2%	0%	78%

Table 9: Denial Rate in Arlington by Income and Race/Ethnicity (HMDA, 2013-2017)

	Native American	Asian	Black	Latino	Pacific Islander	White
LOWEST-INCOME (\$0 - \$24,999)						
LOWER-INCOME (\$25,000 - \$74,999)		7%	33%	0%	0%	15%
MODERATE-INCOME (\$75,000 - \$124,999)	25%	3%	0%	8%		7%
HIGH-INCOME (\$125,000 +)	0%	5%	0%	9%	0%	3%

Assessment: Lesser mortgage application volume and (largely) greater denial rates for loan applicants of color suggest a dynamic of exclusionary lending in Arlington and that mortgage lending is an impediment to fair housing access. Lending discrimination and fair credit opportunities will need to be addressed. However, higher approval rates for Black and Latino applicants should not be taken as an automatic improvement. The US lending

industry has a decades-long history of predatory loans approved for Black and Latino borrowers, including mass predatory lending by major banks in Black and Latino communities in the run-up to the Great Recession of 2007-2009. HMDA data offers no insight into the quality of loans issued to borrowers. Given the loan application and denial rates by race and ethnicity, loan quality is not the primary fair housing concern in Arlington, but it should be considered when working to ameliorate the disparities.

Loans by Sex

Of the 2,740 applications in Arlington where the sex of the primary applicant was reported, the majority of applicants were male (67%), and the minority were female (33%). (HMDA data is reported by sex and not gender; no data on gender identity is reported, and it is unclear to what degree sex and gender are conflated.) Though male applicants almost always outnumbered female applicants, application rates are more evenly divided across lower-income applicants and less evenly divided across high-income applicants. This dynamic held true for couples as well as individual loan applicants. Overall, application volume by sex was similar in Arlington and the comparison region. Denial rates were roughly similar regardless of sex in both Arlington and the comparison region. (Details on these factors are provided in [Appendix C: Expanded HMDA Analysis](#) on page 118.)

Table 10: Application Volume in Arlington by Income and Sex (HMDA, 2013-2017)

SEX OF PRIMARY APPLICANT	FEMALE		MALE		TOTAL
Lowest-Income (\$0 - \$24,999)	0	0%	1	100%	1
Lower-Income (\$25,000 - \$74,999)	115	53%	100	47%	215
Moderate-Income (\$75,000 - \$124,999)	306	40%	459	60%	765
High-Income (\$125,000 +)	474	27%	1,285	73%	1,759
Total	895	33%	1,845	67%	2,740

Assessment: Application volume rates by sex show women face continued obstacles to homebuying, upstream of the loan application process (loan approval rates show no indication of discrimination at that point in the process). This disparity could be due to endogenous factors in the homebuying process (such as discrimination by real estate agents or mortgage brokers), as well as external discriminatory factors, such as lower pay among women, that would suppress loan applications.

Discrimination by Real Estate Professionals

Real estate professionals mediate most interactions non-professionals have with the private housing market, making them particularly important in fair housing matters. According to academic research as well as engagement conducted as part of this plan, real estate professionals continue to be a source of housing discrimination in Arlington. Research conducted by Suffolk University Law School and Analysis Group recently demonstrated that real estate owners, agents, brokers, and property managers in 11 greater Boston communities (including Arlington) actively discriminate against tenants by race and source of income. The study revealed discrimination against Black people in 71% of conducted tests, and discrimination against housing voucher holders in 86% of tests.

Researchers found many forms of discrimination, with significant variation across several aspects of the rental process: returning initial contact or “ghosting” prospective tenants, offering site visits, offering rental applications, different rental criteria, and subtle forms of verbally steering prospective tenants. While specific data for tests in Arlington was not provided, the study gave no indication that discriminatory patterns varied significantly by geography. The study’s findings were limited. First, the sample size was limited to 51 tests, with only three conducted in Arlington. Second, researchers only tested rental housing providers and only studied race and voucher status. Despite these limitations, the study indicates that housing discrimination is still practiced among some real estate professionals operating in Arlington and the broader region.

This academic research was corroborated by participants in the public engagement process, who reported discrimination by housing providers and real estate professionals on the basis of race as well as source-of-income. Racial discrimination was noted in leasing and in property management, while source-of-income discrimination was most common at the leasing stage. One participant, who works for an affordable housing developer that accepts housing vouchers, noted that private landlords often do not want to commit to rigorous annual inspections, and that the time to process the voucher would be a deterrent for a for-profit landlord. Several participants said they had witnessed or heard of landlords telling voucher holders that they do not accept vouchers, in one case because their unit would not pass the required inspection. Landlords are reluctant to accept voucher holders for a number of other reasons, including administrative burden and the social stigma against voucher holders. Housing service providers in this plan’s public engagement process noted several instances where residents felt that landlords were not interested in renting to them once they learned that a voucher was involved. However, the providers also noted that it is difficult to prove discrimination, particularly in a tight housing market; if a potential applicant is able to put a deposit down immediately, a landlord will almost certainly offer the apartment to that applicant rather than waiting for an inspection and processing.

Participants in this plan’s public engagement process indicated there are additional forms of discrimination against other protected classes, as well. While the reports collected during this process were all anecdotal, they indicate discrimination is not limited to acts which have been scientifically measured. Discrimination against families, single parents, foreign-born people, and certain ethnicities was also reported by engagement participants, including one former realtor. People with disabilities (and service providers for people with disabilities) reported a broad range of discriminatory practices, from subtle forms of harassment by landlords to failure to provide reasonable accommodations. Engagement participants noted that these types of discrimination are difficult to track, as people with disabilities may not know their rights or those seeking housing may prioritize their housing search over reporting discrimination. Some participants noted that discrimination against people suffering from mental-health-related disabilities is especially pervasive and subtle.

Some engagement participants described overt discrimination, but most presented more coded experiences of discrimination. Several participants were unsure at what point real estate professionals’ behaviors became discrimination, and some participants believed subtler forms of harassment were not discrimination, pointing to a need for wider education on housing rights.

Assessment: Despite laws that regulate how the real estate industry can treat homebuyers and renters, academic research and qualitative reports demonstrate that discrimination against protected classes remains a feature of Arlington’s housing market. Discrimination was reported against several protected classes, including race, national origin, source of income, family status, and disability status.

Seeking Improvements

Reasonable Accommodations

Renters and potential renters with disabilities have the right to seek reasonable accommodations for their disabilities from landlords. Of the Fair Housing complaints that were made to the Massachusetts Commission Against Discrimination (MCAD) for discrimination in Arlington from 2010 to 2019, a plurality of complaints is based on discrimination against people with disabilities (MCAD complaint data, 2010-2019). (See [Fair Housing Education and Enforcement](#) on page 97 for more information.)

Participants in this plan's public engagement process discussed the process seeking reasonable accommodation. This discussion touched on reasonable accommodations they had previously received and those they wished their landlord would provide. Reasonable accommodation requests included physical improvements, as well as allowances for pets and other lease terms. Engagement participants mentioned heightened concerns in the current pandemic, particularly with regard to shared facilities and common areas.

Building Maintenance

Participants in public engagement discussed addressing inadequate housing conditions with a landlord. Some residents were reluctant to raise issues because they feared retaliation from the landlord, or that a potential inspection by the town would result in the unit being deemed uninhabitable. One participant said, "When you talk about a situation like this, people ask 'why don't you just leave?' You weigh all these options, and at the time you're just trying to make the best decision... You're afraid to bring this forward because you're afraid of not having a roof over your head."

Assessment: Quantitative and qualitative indicate that seeking building improvements is an ongoing and underreported area of housing discrimination. Many tenants in protected classes attempt to address concerns themselves, "get by" without accommodations that they are entitled to, or simply leave (or never rent) these homes. This form of discrimination can be physically dangerous for occupants as well as limiting fair housing choice for protected classes.

Displacement

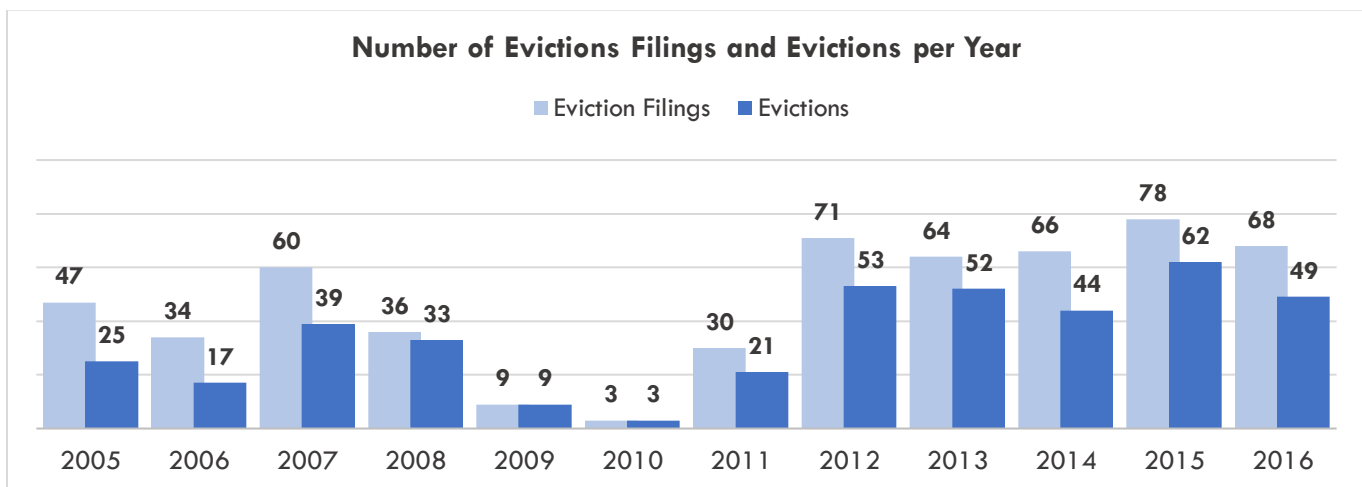
"Displacement" describes any circumstance when a resident leaves their home and/or community against their wishes, often due to costs. Household-level displacement can occur when individuals can no longer afford their housing costs, either due to rising rents, taxes, or other costs. Community-level displacement occurs when many similar households are displaced, and the households taking their place are dissimilar to the initial households. Community-level displacement is called gentrification when many higher-income households replace lower-income households.

Arlington has been a high-cost area within the greater Boston region for a long time, making community-level gentrification-related displacement less likely than in historically lower-cost communities. However, as prices rise, the lower-cost homes that do exist in Arlington will likely be repositioned for higher-income occupants. This could create a subtle shift in the demographics of the Arlington community, including the displacement of those protected classes with lower incomes, including the elderly and people with disabilities. Public engagement participants expressed a concern that rising taxes would lead to displacement of older households specifically.

Evictions

Evictions can be one indicator that displacement is occurring, though evictions sought through the law are just one potential mechanism of displacement. According to the Eviction Lab at Princeton University, Arlington experienced a total of 49 evictions in 2016 (the latest available data), for an eviction rate of 0.62% (calculated as the number of evictions per 100 renter-occupied household). The eviction filing rate for 2016 was 0.85%, meaning that 72% of evictions filed in court led to an eviction. Evictions in Arlington have varied over the last decade but, with exceptions of 2008-2011, have trended upwards. Evictions appear to parallel housing market troughs and peaks; in other words, they reached a low point in 2010 following the recession and have since rebounded with housing prices. This may indicate that, with higher market rents, landlords are incentivized to renovate their properties or seek new higher-paying tenants. Arlington's 2016 eviction rate of 0.62% was half that of Middlesex county's rate of 1.28%. (Comparison region data was not available.)

Figure 23: Evictions per Year (The Eviction Lab at Princeton University)



Because no data is available after 2016, it is impossible to assess how eviction rates have changed. If evictions do follow housing market trends, it is likely that evictions held steady or increased as housing costs continued to grow. Due to the COVID-19 pandemic, Massachusetts enacted an eviction moratorium for nine months of 2020, and the federal Centers for Disease Control issued its own partial moratorium which remains in effect through June 2021 as of this writing. These actions likely decreased the number of evictions in Arlington, though some are likely occurring either under the CDC moratorium or by illegal and/or informal means.

Assessment: Household-level displacement is occurring in Arlington, particularly as rental housing is repositioned for higher-income residents and as older residents seek lower-cost options as they age. Though Arlington has attracted higher-income residents for some time, rising housing prices could bring a subtle form of community-level displacement. This displacement may be disproportionately impacting lower-income households, many of whom are also in protected classes.

Housing Market Recommendations

- Partner with one or more financial institutions and quasi-public institutions like the Massachusetts Housing Partnership to market available financing options to protected classes. Ensure those mortgage products are fair to borrowers.
- Through notices and marketing materials, offer fair housing education and enforcement reminders to real estate professionals operating in Arlington.
- Bolster protections of tenants by requiring property owners to give significant notice to tenants when they are preparing to redevelop or sell a property and when they are planning to raise rents.
- Advocate for passage of the Tenant Opportunity to Purchase Act at the state level. If it passes, support tenant purchasers through funding and technical support.

Public Opposition to Housing

Arlington has had recent experiences of informal and organized community opposition to new housing, including opposition against particular housing developments and opposition to zoning reforms that would enable more housing production. This opposition has been matched by increasingly organized support for addressing housing need.

Project-based Opposition

Community opposition to housing development in some communities is explicitly anti-development, but the arguments that lead to anti-development outcomes in Arlington are typically framed in non-housing terms. Depending on the project and those opposing it, the opposition might be explicitly against built density; the impact on the historic character of the neighborhood; the impact on green space, tree cover, or shadows; the unsuitability of the specific site for housing; the impact on schools; the impact on parking and/or traffic; and/or the architectural design of the proposal.

Opposition is often framed as occurring *despite* the opposition's support for housing generally. One opponent to the Thorndike Place Comprehensive Permit project was quoted in the Arlington Advocate, clearly illustrating this dynamic: "I certainly respect the opportunity to build more housing in town,' [an opponent] said, 'but I wonder, if we bring more kids in town and actually close our fields so they don't have a place to play, what kind of community are we left with at the end of the day?'"⁴⁸ Similar framings can be found against other projects, such as proposals at Mt. Gilboa,⁴⁹ Spy Pond,⁵⁰ and Downing Square.⁵¹

⁴⁸ <https://www.wickedlocal.com/article/20150528/news/150526532?template=ampart>

⁴⁹ <https://www.wickedlocal.com/news/20160320/letters-to-editor-protect-mt-gilboa>

⁵⁰ <https://www.wickedlocal.com/news/20160902/abutters-oppose-spy-pond-project>

⁵¹ <https://www.wickedlocal.com/news/20161026/arlington-neighbors-voice-concerns-with-downing-square-project>

For any given project, objections on non-housing grounds may or may not be legitimate concerns that must be addressed. However, even when they are legitimate, the net effect of opposition across projects is to create an environment that limits the opportunities for housing production (especially multifamily housing production). This effect disproportionately impacts protected classes.

Increasingly, criticism to housing development also takes a position of being pro-affordable-housing generally, while finding current development inadequate. One commenter on the 1165R Massachusetts Avenue Comprehensive Permit project wrote in *Your Arlington*: “We must rethink our development projects, so that they will both increase diversity and protect or expand our commercial tax base. Residential development needs to allow for a range of truly affordable units at 30, 40, 50 AMI, rather than just “market-rate affordable” units at 80 AMI (which given their income, would be beyond reach for both the average person of color and the average artist).”⁵² These sentiments could align with fair housing goals. However, without matched support of investment in deep affordability, this form of opposition could have the effect of further limiting fair housing access.

Policy-based Opposition

Some members of the Arlington community have organized against policies that impact housing. For instance, a statewide effort, led by an Arlington Heights resident, fought to overturn Chapter 40B entirely in both 2007 and 2009.⁵³ More recently and impactfully, residents have opposed local zoning petitions to increase the allowable density of mixed-use, multifamily, and townhouse development. In 2018 and 2019, the Town began taking steps to expand opportunities for residential development along the Town’s commercial corridors, particularly by allowing greater built densities by-right along Massachusetts Avenue and other thoroughfares.⁵⁴ Opposition to these measures coalesced into an organized community group, which effectively organized public comment at hearings, Arlington Redevelopment Board meetings, and Town Meeting.⁵⁵ The nature of the opposition mirrored the concerns raised for specific projects, including complaints about the impacts on light and shadows, the tree canopy, traffic, and parking. Some questioned whether any of the housing would be truly affordable and stated the zoning was aimed at making property developers wealthy.⁵⁶ The tenor of the debate around the zoning articles was notably spirited, at times becoming raucous. During an ARB meeting on the zoning articles, the board chair had to gavel the room to order on more than one occasion. At two Town Meeting sessions in April 2019, debate on the measures grew heated. One Town Meeting member even described the zoning proposals as an “attack on all of us.”

Support for Housing

Opposition to housing is not universal. In 2016, Town Meeting voted overwhelmingly to support mixed use development by Special Permit along commercial corridors, a zoning change that might ultimately increase

⁵² <https://www.yourarlington.com/easyblog/entry/8-planning/2828-mirak-080520.html>

⁵³ http://archive.boston.com/business/articles/2009/08/19/opponents_file_petition_to_repeal_mass_affordable_housing_law/

⁵⁴ <https://www.yourarlington.com/arlington-archives/town-school/planning/15224-zoning-121818.html>

⁵⁵ <https://www.yourarlington.com/arlington-archives/town-school/planning/15543-zoning-040319.html>

⁵⁶ *ibid.*

housing opportunities.⁵⁷ Similar support was voiced for zoning changes in Arlington Heights.⁵⁸ Even during the 2019 zoning debate, several community members (including Town Meeting members) voiced support for the proposed zoning changes or variations on the proposals. Some residents also organized a group on social media called “Arlington Neighbors for More Neighbors” with a mission to “stand up for secure, abundant homes for everyone.”⁵⁹

Assessment: Opposition to housing development and policy reform is a critical barrier to improving fair housing access in Arlington. Opposition to a given design of a given development may be warranted, but the sum of the opposition to all housing development and reform limits the availability of housing overall. These limits help to drive up housing costs and limit access to housing only to incumbent homeowners or high-income households, a condition that disparately impacts members of those protected classes that tend to have lower incomes. In the absence of a strategy to purchase the existing housing stock to create fair housing choice, opposition to housing development is an impediment to fair housing. Certain conditions may ameliorate the opposition logjam in the coming years. Organized support for housing reform may change the tenor of the public conversation. Additionally, Massachusetts’ recently-passed Housing Choice legislation will lower the threshold to pass many zoning amendments at Town Meeting, removing the procedural advantage previously held by opponents to residential zoning reform. Perhaps most substantially, a renewed dialog around fair housing (specifically as it pertains to race) emerged in 2020, in the wake of renewed Black Lives Matter protests. These legal and social changes may increase support for addressing fair housing needs while making reform more viable.

Opposition and Support Recommendations

- Continue holding public discussions on the impact of housing, the role of direct and indirect discrimination, and fair housing law.

Fair Housing Education and Enforcement

While fair housing laws have been in existence for decades, fair housing violations persist. This is due in part due to a lack of education on the rights and obligations created by these laws, as well as a lack of enforcement against fair housing violators. Fair housing education and enforcement is undertaken by a constellation of organizations nationally. HUD’s Office of Fair Housing and Equal Opportunity (FHEO) is the primary enforcement agency at the federal level. In certain cases, aspects of fair housing law are enforced by the Department of Justice. HUD also devolves some of its education and enforcement duties to state and local governments through the Fair Housing Assistance Program (FHAP) and to private nonprofit entities through the Fair Housing Initiatives

⁵⁷ <https://www.wickedlocal.com/news/20160426/mixed-use-zoning-gets-overwhelming-support-at-town-meeting>

⁵⁸ <https://www.wickedlocal.com/news/20181005/future-of-arlington-heights-features-mixed-use-construction-zoning-changes>

⁵⁹ Arlington Neighbors for More Neighbors Facebook page, <https://www.facebook.com/groups/2486159418312957/>

Program (FHIP). Through FHAP, enforcement of federal fair housing law is undertaken by the Massachusetts Commission Against Discrimination.

State Enforcement and Education

The Massachusetts Commission Against Discrimination (MCAD) is the state-level enforcement agency for fair housing complaints (as well as complaints related to employment discrimination, etc.). The agency receives approximately \$1m from HUD annually, accounting for nearly one third of its budget. MCAD receives complaints from individuals and investigates those complaints. Where possible, the agency attempts to resolve complaints through mediation. If MCAD finds probable cause of a fair housing violation and several attempts at mediation do not result in settlement, MCAD proceeds with a public hearing and adjudication.⁶⁰ Statewide, MCAD received 3,364 complaints of discrimination in 2019, of which 12% (412) were for discrimination in housing. In 2019, MCAD's Education, Training, and Community Outreach Unit attended 337 discrimination preventions trainings and other events, though the agency does not specify how many of those trainings covered fair housing specifically.⁶¹

Private Fair Housing Agencies

Through the Fair Housing Initiatives Program (FHIP), HUD provides grants to private nonprofit institutions working on fair housing initiatives, including enforcement, education, and capacity building. There is currently only one area organization working on fair housing issues that regularly receives FHIP funding, the Suffolk University Law School Housing Discrimination Testing Program. In FY2019, HUD awarded Suffolk roughly \$425,000 in FHIP funds for systematic and complaint-based testing, representation of fair housing clients, fair housing trainings, and other educational opportunities.⁶² Though not a current FHIP recipient, the nonprofit Metro Housing Boston also provides fair housing services, including trainings and education, technical assistance, and some case management.⁶³ Metro Housing Boston's service area includes Arlington.

Until 2018, the Fair Housing Center of Greater Boston was another regular FHIP recipient. Founded in 1968, the Center closed in 2018 due to funding constraints. The most recent FHIP allocation to Suffolk University represents a reallocation of funding from the now closed Fair Housing Center to Suffolk. However, greater Boston now lacks a standalone organization dedicated to fair housing. Furthermore, while the present FHIP funding can provide some minimum level of fair housing education and enforcement, the amount of funding available is low given the remit of the funded programs and the geography they intend to cover.

Assessment: The closing of the Fair Housing Center of Greater Boston leaves the region without a dedicated fair housing organization, although a new organization is being formed as a replacement. Currently, the Massachusetts Commission Against Discrimination (MCAD), Metro Housing Boston, and Suffolk Law School's Housing Discrimination Testing Program are providing fair housing training, testing and enforcement services in the region.

⁶⁰ MCAD Annual Report, 2019

⁶¹ *ibid.*

⁶² HUD, "FY2019 FHIP Grant Recipient Summaries by State"

⁶³ Metro Housing Boston, 2020 Impact Report, https://www.metrohousingboston.org/wp-content/uploads/2020/11/MHB_Impact2020_FNL-SCROLL.pdf

Complaints and cases

Between 2010 and 2019, MCAD received 24 fair housing complaints in Arlington.⁶⁴ MCAD receives complaints from individuals and then begins a process of investigation, mediation, and adjudication. Sixteen of the complaints from 2010 to 2019 were related to private housing, with eight related to public housing. In ten complaints, the alleged violators of fair housing law, called respondents, were individuals; fifteen were organizations. In one case, both individuals and an organization were named. Seven respondents were private affordable housing operators, two were the public housing authority, seven were private landlords, one was a management company, two were rental brokers, one was a real estate agent, and four were not specified.

Table 11: Basis of fair housing complaints in Arlington, MCAD, 2010-2019

Basis of alleged discrimination	Number of complaints
Disability	11
Familial Status / Children	5
Age	2
Race and Ethnicity	2
Retaliation	2
Source of Income	1
Other	1

The basis of complaints varied. The largest portion of complaints (11 of 24) were due to disability (inclusive complaints citing specific health conditions such as cancer). The next largest portion (five complaints) were alleged discrimination based on family status, including discrimination against children specifically.

Between 2014 and 2019, MCAD completed seven fair housing cases—complaints that have advanced past the mediation phase—based on discrimination in Arlington.⁶⁵ Alleged fair housing violations included the following:

- One act of discriminatory actions by brokerages
- Two acts of discriminatory refusal to rent
- Three acts of discriminatory terms, conditions, privileges, or services and facilities placed on tenants
- One failure to make reasonable accommodations for a protected class
- One other discriminatory act (not specified)

For the four cases completed in 2014 and 2015, investigations found probable discrimination and violators were charged, the cases were settled, or the cases were otherwise resolved and withdrawn.⁶⁶ Approximately \$19,000 was awarded in compensation for cases completed in 2014. However, for the three cases completed in 2017 and 2018, no probable cause of discrimination was found, and the cases were closed. No cases were completed in Arlington in 2016 or 2019.

⁶⁴ MCAD complaint data, 2010-2019

⁶⁵ HUD, "Cases by Location by Issue," 2014-2019

⁶⁶ HUD, "Completed Cases," 2014-2019

Assessment: Enforcement of fair housing law is an impediment to fair housing choice in Arlington. The federal government has delegated most enforcement responsibility to MCAD, which has limited funding to pursue fair housing complaints across the Commonwealth. Additional responsibility is delegated to private organizations. While the growth of Suffolk University's involvement in fair housing is encouraging, the lack of a standalone organization dedicated to fair housing enforcement is worrisome. The current situation could create a long-term lack of institutional capacity to address fair housing issues, in Arlington and elsewhere in the region. The limited funding for both MCAD and Suffolk ensures that most enforcement will be reactive to complaints by victims of discrimination, rather than proactive. A reactive enforcement regime also requires wide education of fair housing rights, and a reasonable assumption that fair housing complaints will help and not hinder victims' efforts to secure safe and accessible housing. From the low number of complaints made from 2010 to 2019 in Arlington, those requirements have evidently not been met.

Enforcement and Education Recommendations

- Contract with MCAD, Metro Housing Boston, or Suffolk Law School's Housing Discrimination Testing Program to provide fair housing training, testing, and enforcement in Arlington specifically.
- Work with Town boards and commissions as well as local nonprofits to disseminate educational materials on fair housing.

Fair Housing Factors Conclusion

Arlington faces real impediments to increasing fair housing choice, preventing discrimination against protected classes, and ending the de facto segregation pervasive in the greater Boston region. These impediments can be found at all levels, from available federal funding to local laws, from institutional processes to market actors. Some of these impediments amount to overt discrimination, made visible through formal complaints and personal stories. A larger share of impediments, however, are facially neutral policies and practices (often mediated through the real estate market) that have a disparate impact on the housing choices of protected classes. Whether intentional or not, these systems help to carry on a legacy of explicit housing discrimination born from racially restrictive covenants and redlining.

The Town of Arlington is well-positioned to address these impediments head-on, at least compared to other municipalities. For a community of its size, Arlington has numerous high-capacity local governmental bodies (whether departments, commissions, or public agencies), nonprofit organizations, and institutions. The Town also has access to federal and state funding resources that are either unavailable to or not adopted by other communities.

The next chapter consolidates the recommendations scattered through this chapter, organizes those recommendations into broader strategies, and provides additional details on implementation.

Chapter IV:

Collected Recommendations

The last chapter provided recommendations to address specific aspects of Arlington's laws and institutions to ameliorate fair housing choice. If implemented, those recommendations will serve as an effective basis for affirmatively furthering fair housing by reducing patterns of segregation, mitigating displacement, addressing disproportionate housing needs, and increasing access to opportunity for members of protected classes.

The recommendations offered here will not solve the fair housing crisis on their own. Nonetheless, the recommendations here are what a community can do at a local level to limit its harm and advance the cause of justice. If the community can rally around fair housing access and use these resources with intention, Arlington will be able to materially advance fair housing in the town.

This chapter consolidates those recommendations into one location for easy reading, and organizes them according to broad strategies:

- Strategy A: Increase awareness, education, and enforcement of fair housing laws.
- Strategy B: Alter Town governance structures and processes to address fair housing concerns.
- Strategy C: Reform the Zoning Bylaw to encourage development that increases fair housing choice.
- Strategy D: Use non-zoning techniques to encourage development that increases fair housing choice.
- Strategy E: Use Town resources to create opportunities to meet housing need.
- Strategy F: Alter Arlington Housing Authority policy to increase fair housing choice.
- Strategy G: Protect tenants in protected classes from displacement.
- Strategy H: Encourage access to private housing by protected classes.

This chapter also lists ideal local partners to implement those recommendations. Local Partners include the following:

- DPCD: Department of Planning and Community Development
- ISD: Inspectional Services Department
- ARB: Arlington Redevelopment Board
- DEI Director: Diversity, Equity, and Inclusion Director
- CPAC: Community Preservation Act Committee
- Conservation Commission
- HRC: Human Rights Commission
- Disability Commission
- LGBTQIA+ Rainbow Commission
- Town Meeting
- Town Manager
- Finance Director

Table 12: Recommendations by Strategy

ID	Recommendation	Relevant Analysis	Implementing Partners
Strategy A: Increase awareness, education, and enforcement of fair housing laws.			
A1	Pass a resolution that codifies Arlington's commitment to fair housing.	Local Fair Housing Law	DPCD, Town Meeting
A2	Through notices and marketing materials, offer fair housing education and enforcement reminders to real estate professionals operating in Arlington.	Discrimination by Real Estate Professionals	DPCD, nonprofit partners, HRC
A3	Continue holding public discussions on the impact of housing, the role of direct and indirect discrimination, and fair housing law.	Public Opposition to Housing	DPCD, HRC
A4	Contract with MCAD, Metro Housing Boston, or Suffolk Law School's Housing Discrimination Testing Program to provide fair housing training, testing, and enforcement in Arlington specifically.	Fair Housing Education and Enforcement	DPCD
A5	Work with Town boards and commissions as well as local nonprofits to disseminate educational materials on fair housing.	Fair Housing Education and Enforcement	DPCD, HRC, Disability Commission, LGBTQIA+ Rainbow Commission
Strategy B: Alter Town governance structures and processes to address fair housing concerns.			
B1	Add a Housing Working Group to the Arlington Human Rights Commission that focuses on fair housing issues. A liaison from the Department of Planning and Community Development for this working group should coordinate interdepartmental housing concerns and policy.	Boards and Commissions	DEI Director, Human Rights Commission, DPCD
B2	Create a protocol for responding to fair housing complaints or allegations of fair housing violations that is uniform across commissions. The protocol should designate a commission and a staff person with responsibility over the complaint process	Boards and Commissions	DEI Director, Human Rights Commission
B3	Change the existing complaint-driven code enforcement system to one with regular, proactive inspections.	Code Enforcement	ISD
B4	Explore alterations to the Town Meeting schedule and virtual participation methods that could make Town Meeting membership feasible for people who cannot join Town Meeting under the current procedures.	Town Meeting	DEI Director, Town Moderator, Town Meeting
B5	Institute Equity Impact Assessments for each item on the Town Meeting warrant, particularly housing and development related items.	Town Meeting	DEI Director, Town Moderator, Town Meeting

ID	Recommendation	Relevant Analysis	Implementing Partners
Strategy C: Reform the Zoning Bylaw to encourage development that increases fair housing choice.			
C1	Reduce the overall complexity of the Zoning Bylaw through recodification.	Zoning Bylaw: Districts, Allowable Uses, and Dimensional Requirements	DPCD, Town Meeting
C2	Allow duplex development by right in nominally single-family districts where two-family dwellings were historically commonplace.	Zoning Bylaw: Districts, Allowable Uses, and Dimensional Requirements	DPCD, Town Meeting
C3	Allow three-family, townhouse, and multifamily housing options by right in districts nominally meant for them.	Zoning Bylaw: Districts, Allowable Uses, and Dimensional Requirements	DPCD, Town Meeting
C4	In districts intended for higher densities, only allow single-family developments by Special Permit, if at all.	Zoning Bylaw: Districts, Allowable Uses, and Dimensional Requirements	DPCD, Town Meeting
C5	Amend restrictive dimensional and parking requirements for multifamily uses that make development infeasible in districts where those uses are appropriate.	Zoning Bylaw: Districts, Allowable Uses, and Dimensional Requirements	DPCD, Town Meeting
C6	Ensure zoning conforms with new state-level requirements for MBTA communities.	Zoning Bylaw: Districts, Allowable Uses, and Dimensional Requirements	DPCD, Town Meeting
C7	Adopt accessory dwelling units by right, and provide loans or grants to homeowners to develop those units in exchange for affordability restrictions.	Zoning Bylaw: Districts, Allowable Uses, and Dimensional Requirements	DPCD, Town Meeting
C8	Raise the threshold for EDR review, particularly on major corridors, replacing that review with performance standards for new developments.	Review Process	DPCD, ARB, Town Meeting
C9	Limit subjective criteria in discretionary reviews, eliminate review standards that perpetuate segregation, and define clear performance and design standards that projects will be reviewed against.	Review Process	DPCD, ARB, Town Meeting
C10	Consider distinct density and dimensional regulations for development that is 100% affordable housing.	Zoning Bylaw: Districts, Allowable Uses, and Dimensional Requirements	DPCD, Town Meeting
C11	Consider approvals by right for developments that are 100% affordable housing.	Review Process	DPCD, Town Meeting
Strategy D: Use non-zoning techniques to encourage development that increases fair housing choice.			
D1	Provide opportunities for housing developments that would trigger the Town's inclusionary zoning requirement.	Inclusionary Zoning	DPCD
D2	Amend Arlington's local preference policy to be more welcoming to nonresidents.	Inclusionary Zoning	DPCD

ID	Recommendation	Relevant Analysis	Implementing Partners
D3	Draft guidelines for addressing accessibility concerns on historic properties.	Boards and Commissions with Purview Over Housing and Development	DPCD, DEI Director, Disability Commission
D4	Institute clear conservation performance standards for properties in conservation areas zoned for multifamily uses. These standards, if followed, should ensure approval from the Conservation Commission.	Boards and Commissions with Purview Over Housing and Development	DPCD, Conservation Commission
D5	Plan for and permit new housing development that could address Arlington's share of the regional housing supply gap.	Housing Stock	DPCD
D6	Encourage new developments to include sufficient accessible units.	Housing Stock	DPCD, ARB
D7	Prioritize family-sized units for new affordable housing units, including purpose-built affordable housing and inclusionary units.	Housing Stock	DPCD, ARB
Strategy E: Use Town resources to create opportunities to meet housing need.			
E1	Explore expansions to Arlington's tax exemption system that could apply to all income-eligible members of protected classes.	Property Taxes	Finance Director, DEI Director
E2	Set a minimum annual dollar amount and minimum percent of CPA funds (above the statutory minimum) and CDBG funds that will go to address housing needs.	Town Resources	DPCD, CPAC
E3	Continue working with affordable housing providers and strategically using CPA and CDBG funds to create opportunities for HOME funding.	Town Resources	DPCD, CPAC
E4	Assess alternative funding resources such as housing bonds.	Town Resources	Finance Director, DPCD
E5	Offer grants or low-interest loans to retrofit historic housing for accessibility.	Housing Stock	DPCD, CPAC
Strategy F: Alter Arlington Housing Authority policy to increase fair housing choice.			
F1	Explore the voluntary adoption of Small Area Fair Market Rents or exception payment standards.	Housing Vouchers	AHA
F2	Eliminate rental application fees for voucher holders.	Housing Vouchers	AHA
F3	Encourage landlords to follow HUD's guidance on the use of criminal backgrounds in screening tenants.	Housing Vouchers	AHA, DPCD

ID	Recommendation	Relevant Analysis	Implementing Partners
Strategy G: Protect tenants in protected classes from displacement.			
G1	Bolster protections of tenants by requiring property owners to give significant notice to tenants when they are preparing to redevelop or sell a property and when they are planning to raise rents.	Displacement	DPCD, Town Meeting
G2	Advocate for passage of the Tenant Opportunity to Purchase Act at the state level. If it passes, support tenant purchasers through funding and technical support.	Displacement	DPCD, Town Manager
Strategy H: Encourage access to private housing by protected classes.			
H1	Conduct targeted outreach and provide tenant application assistance and support to persons with disabilities, including individuals transitioning from institutional settings and individuals who are at risk of institutionalization.	Housing Stock	DPCD, DEI Director, Disability Commission
H2	Maintain a database of housing that is accessible to persons with disabilities.	Housing Stock	DPCD, DEI Director, Disability Commission
H3	Partner with one or more financial institutions and quasi-public institutions like the Massachusetts Housing Partnership to market available financing options to protected classes. Ensure those mortgage products are fair to borrowers.	Mortgage Lending	DPCD

Appendix A:

Quantitative Data Sources

Census Data

This plan primarily uses data from the American Community Survey (ACS). The ACS is a program of the U.S. Census Bureau, which surveys a subset of the population each month and publishes data on an annual basis in the form of ACS 1-Year Estimates, for areas with populations of 65,000 or more, and ACS 5-Year Estimates, for all other areas.⁶⁷ With some exceptions noted in the text, this analysis used data from ACS 2013-2017, which was the most recent data available in fall 2019. Note that Arlington's Consolidated Plan uses 2011-2015 ACS data; discrepancies between the numbers cited here and those in the Consolidate Plan are likely due to the different years considered.

MAPC supplemented ACS data with Decennial Census data when evaluating the distribution of protected classes in Arlington. Decennial Census data, though current to 2010, reflects a complete enumeration of the population, rather than estimates based on samples, and therefore offers better resolution when looking at subsets of the population within subdivisions of a municipality.

⁶⁷ The name *Estimates* reflects the fact that ACS data is based on samples of the population, rather than a complete enumeration, and therefore contains uncertainty. This uncertainty is described by margins of error, which are provided for every estimate. The Census Bureau uses a 90% confidence level for their margins of error, meaning if the Census Bureau were to repeatedly make new estimates using the same process, the confidence interval would contain an average of all the estimates 90% of the time.

Additional Data Sources

MAPC also used data from the sources below.

Table 13: Additional Data Sources

Data	Description
Comprehensive Housing Affordability Strategy (CHAS)	Comprehensive Housing Affordability Strategy (CHAS) data are custom tabulations of ACS data prepared by the Census Bureau for the U.S. Department of Housing and Urban Development (HUD). These data demonstrate the extent of housing problems and housing needs, particularly for low-income households.
Eviction Lab	The Eviction Lab at Princeton University publishes nationwide data on evictions dating back to 2000. The Eviction Lab is a project directed by Matthew Desmond and designed by Ashley Gromis, Lavar Edmonds, James Hendrickson, Katie Krywokulski, Lillian Leung, and Adam Porton.
Massachusetts Department of Elementary & Secondary Education (DESE)	The Massachusetts Department of Elementary and Secondary Education (DESE) maintains graduation rate data, which is published in a District Graduation Rate Report each year. These data enable comparison of graduation rates by school district and graduation rates by race and ethnicity.
MAPC Rental Listings Database	The MAPC Rental Listings Database is composed of rental ads screen-scraped from Craigslist, which are then cleaned and aggregated to produce medians of listed rental cost by bedroom count in each municipality. This data provides a more up to date understanding of rental costs.
The Warren Group	The Warren Group maintains data on real estate transactions in New England, which includes information such as date of sale and sale price. MAPC purchases this data from the Warren Group.

Appendix B:

Housing Characteristics and Costs

Housing Characteristics

Housing characteristics, such as building age or number of bedrooms, are an important consideration in the context of fair housing because they provide an indication of the degree to which Arlington's existing housing stock meets the needs of protected classes. Limited supply of a particular housing type limits options for households that require that housing type: for example, a limited number of housing units with multiple bedrooms limits housing options for families with children. Limited supply could also inflate prices so the housing of this type that does exist becomes unaffordable.

Of course, a family seeking housing must consider multiple housing characteristics together rather than in isolation. An unlimited number of large units is only useful to the extent that it is also affordable, accessible, and otherwise meets the needs of families seeking housing.

Housing Stock by Number of Units in a Structure

The number of units in a structure is important to consider because units in multifamily structures are typically smaller and often less expensive than single-family structures. In other words, these units are not deed-restricted or income-restricted, but they tend to be more moderately priced due to their smaller size or shared outdoor space. Additionally, multifamily structures built since the enactment of the Americans with Disabilities Act in 1990 are required to comply with accessibility standards, such as including elevators or ramps, ensuring options for residents with limited mobility.

Arlington has 19,615 (± 477) housing units. Just over two-thirds of these units are either located in single-family structures (45% $\pm 2\%$) or two-family (26% $\pm 2\%$) structures. These counts place Arlington in the center of the comparison region for percentage of units in single-family structures (14/25, ranked highest to lowest share) but higher in terms of percentage of units in two-family structures (5/25, ranked highest to lowest share).

In general, new units in Arlington are more likely to be located in multifamily structures than in single-family structures. From 2010 to the second quarter of 2019, Arlington had a net decrease of two single-family homes

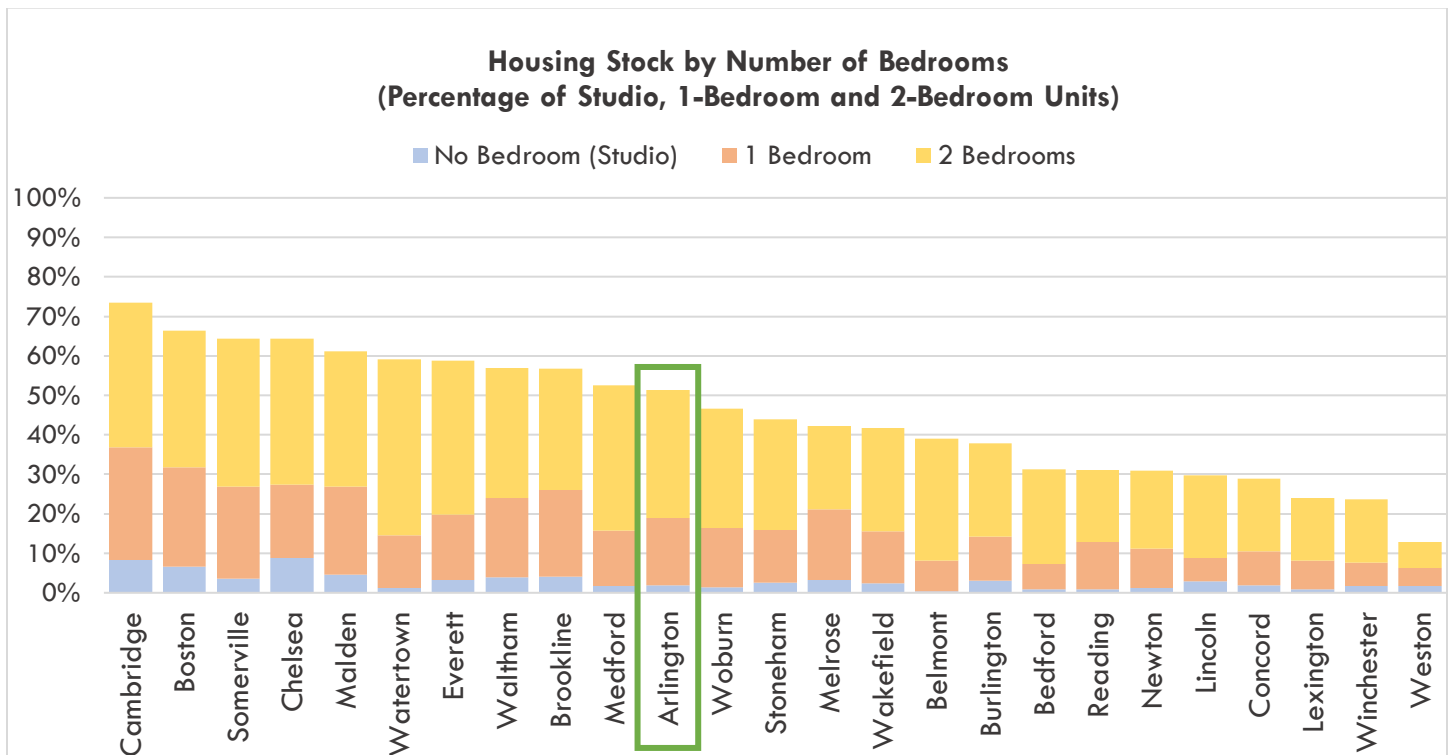
(despite active redevelopment and greenfield single-family projects) and a net increase of 393 multifamily units.⁶⁸

Housing Stock by Number of Bedrooms in a Unit

Having a mix of unit sizes is critical for a healthy housing stock. Larger units of three bedrooms or more are needed for families, while smaller units are an important option for small households who do not need or cannot afford a large unit. No one unit size is more important than another; rather, a range of unit sizes is needed to ensure Arlington's housing meets a range of household needs.

About one-third ($6,357 \pm 473$) of Arlington's housing units have two bedrooms while around another third ($5,845 \pm 341$) have three bedrooms. Around 17% ($3,365 \pm 363$) have one bedroom and around 2% (355 ± 133) are studios. Arlington's share of one-bedroom and two-bedroom units is slightly greater than the comparison region.

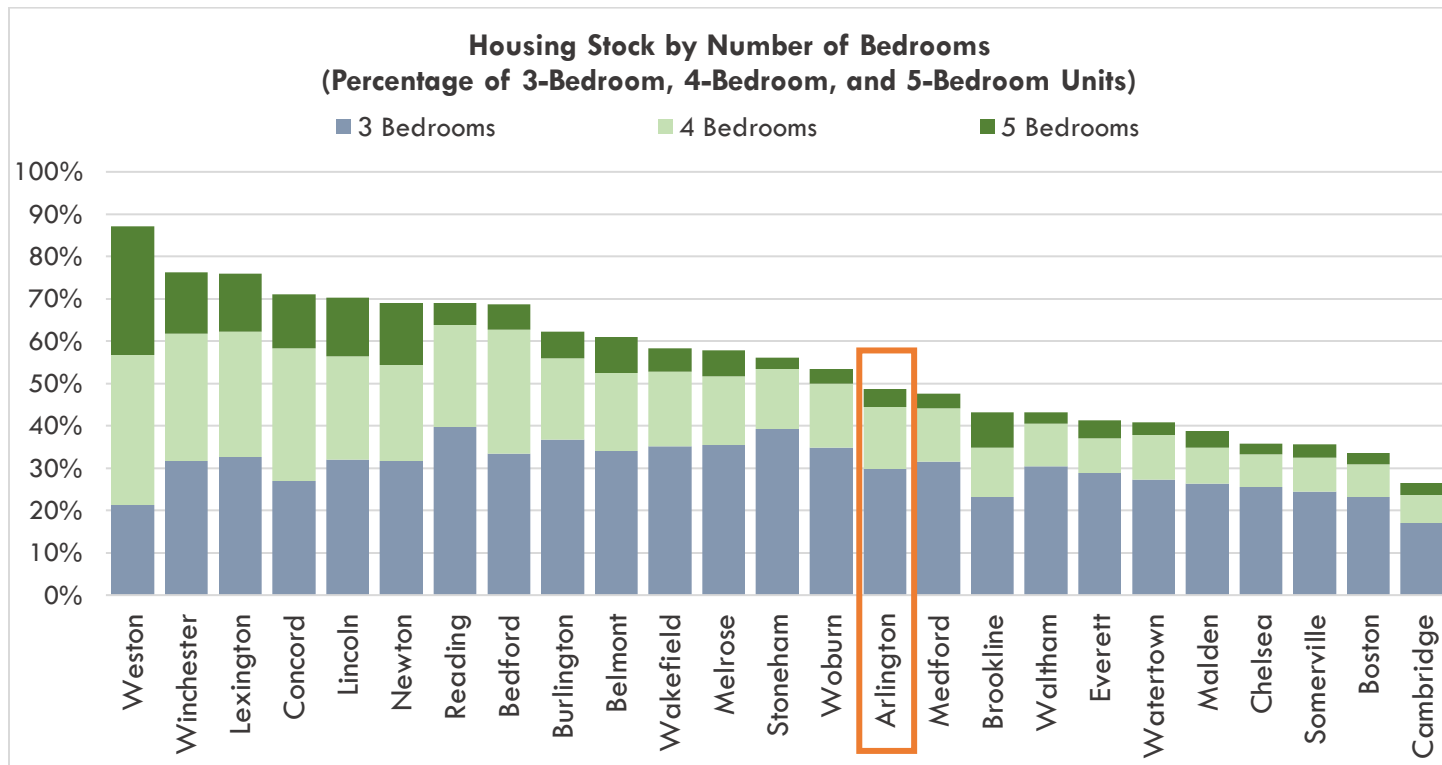
Figure 19: Housing Units by Number of Bedrooms (Studio, 1-Bedroom, and 2-Bedroom Units)



⁶⁸ MAPC development data, based on Town of Arlington records

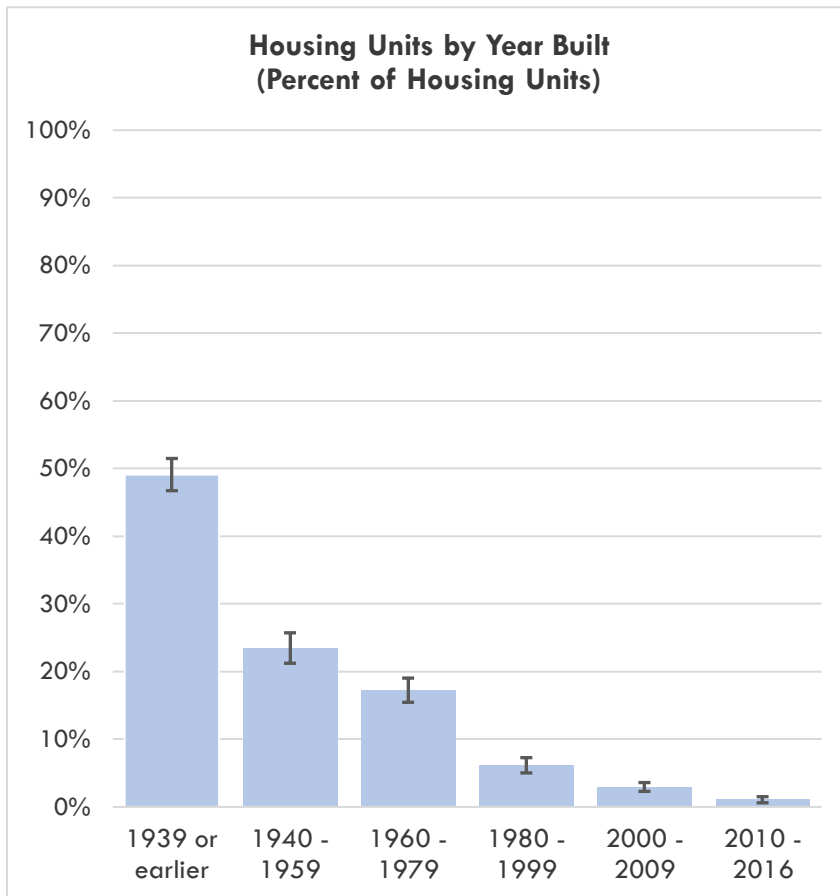
Correspondingly, Arlington has a relatively smaller share of three-, four-, and five-bedroom units in comparison to surrounding municipalities.

Figure 20: Housing Units by Number of Bedrooms (3-Bedroom, 4-Bedroom, and 5-Bedroom Units)



Housing Stock by Age

Figure 21: Housing Units by Year Built (ACS 2013-2017)



Age of housing stock has two important fair housing implications. First, housing built before 1978 may have lead paint, which is hazardous for children. Lead paint is required to be removed from or contained within rental units if a child under the age of 6 will be living in the unit. Home sellers must disclose whether there is lead paint in their home, though they are not required to remediate the hazard. Second, housing built before 1990, when the Americans with Disabilities Act was enacted, may not have accessibility features such as elevators or wider doors.

About half ($49\% \pm 2\%$) of Arlington's housing stock was built during or before 1939, about a quarter ($24\% \pm 2\%$) was built between 1940 and 1959, and about a fifth ($17\% \pm 2\%$) was built between 1960 and 1979. This means that around 90% of Arlington's housing predates lead paint laws and slightly more than 90% predates the Americans with Disabilities Act. While not all housing built before 1978 has lead paint,

and while not all housing built before 1990 is inaccessible, housing built before these dates is more likely to pose a potential barrier to certain protected classes.

The ten percent of housing constructed in Arlington over the last four decades breaks down as follows: 6% ($\pm 1\%$) of housing was built between 1980 and 1999, 3% ($\pm 1\%$) was built between 2000 and 2009, and 1% ($\pm 1\%$) was built between 2010 and 2016.

A relatively low share of Arlington's housing stock has been constructed in recent years compared to the rest of the region. Arlington is 21 (ranked highest to lowest share) of the 25 municipalities for units constructed between 1980 and 1999, is again 21 of 25 municipalities for units constructed between 2000 and 2009, and is 14 of the 25 municipalities for units constructed between 2010 and 2016.

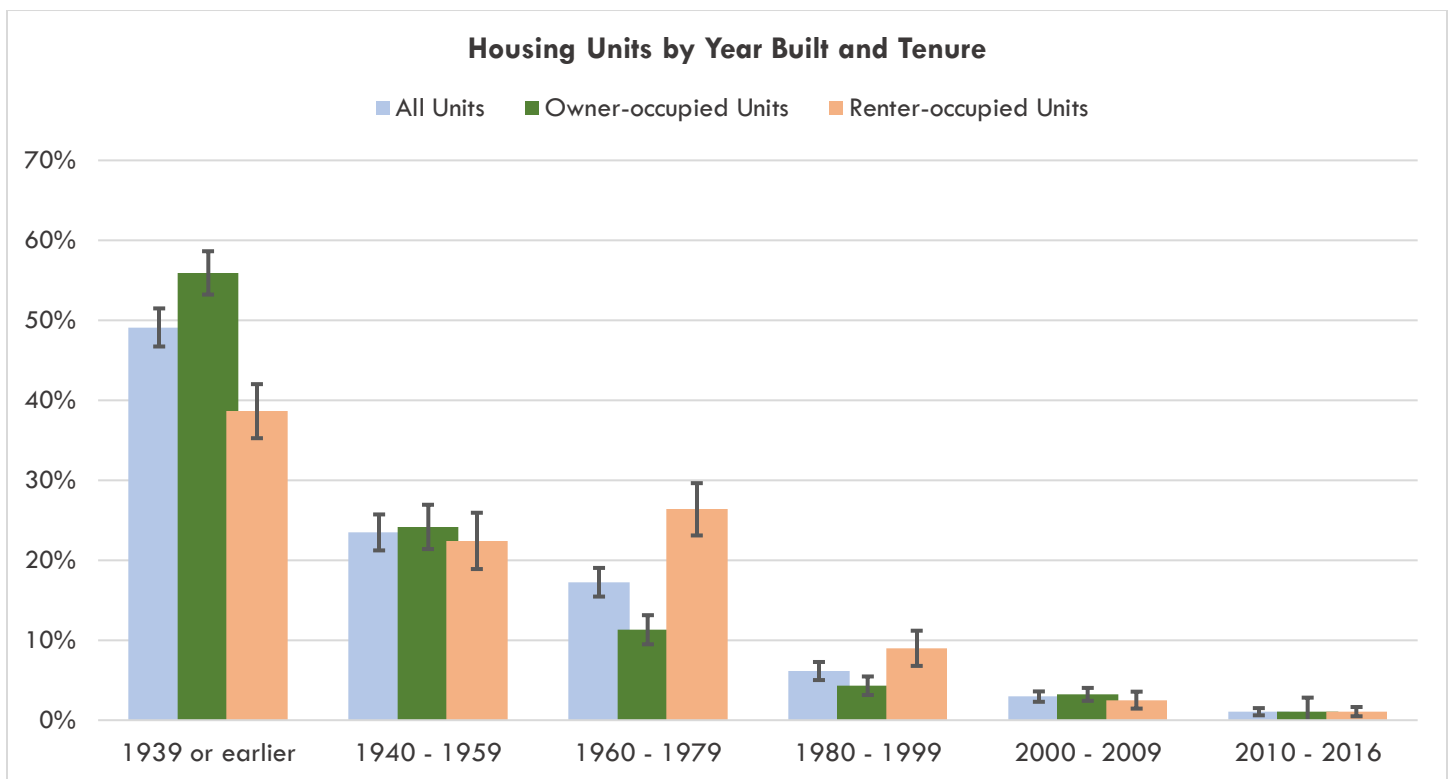
Housing Stock by Tenure

Tenure is important to consider in a fair housing analysis because some protected classes are less likely to own their homes than the general population. As previously discussed, in the context region homeownership rates are far lower for persons of color, particularly for Black and Latino residents, than for White residents. In the United

States, homeownership is a primary mechanism for households to build wealth, and a lack of access to homeownership opportunities for persons of color is one of many factors that can perpetuate economic inequality. Homeownership opportunity as impacted by access to financial services is discussed in [Housing Market on page 89](#).

Around 60% ($11,296 \pm 420$) of housing units in Arlington are owner-occupied and around 40% ($7,356 \pm 449$) are renter-occupied. As depicted in the figure below, a higher percentage of housing units in Arlington built 1939 or earlier are owner-occupied ($56\% \pm 2\%$, versus $39\% \pm 3\%$ for renter-occupied units) while a higher percentage of housing units in Arlington built between 1960 and 1979 ($26\% \pm 3\%$, versus $11\% \pm 2\%$ for owner-occupied units) and between 1980 and 1999 are renter-occupied ($9\% \pm 2\%$, versus $4\% \pm 1\%$ for owner-occupied units). Housing units built since 2000 have been more or less split by tenure.⁶⁹

Figure 22: Housing Units by Year Built and Tenure (ACS 2013-2017)



⁶⁹ American Community Survey, 2013-2019

Housing Costs

Home Sale Prices

Approximately 60% of homes in Arlington are owner-occupied. In 2018, the median price for a residential condominium in Arlington was \$555,000 and the median price for a single-family home in Arlington was \$783,500. The median price for a two-family home was \$935,500 and the median price for a three-family home was \$1,200,000 (The Warren Group, Residential Home Sales by Type and Price).

Prices for residential condominiums, single-family homes, and two-family homes have increased substantially over the past decade. (The price of three-family homes also appears to have risen substantially, however this housing type has been excluded from the chart and table below due to low sample size.)

Figure 23: Median Home Sale Price in Arlington, 2000-2018 (The Warren Group, Residential Home Sales by Type and Price)

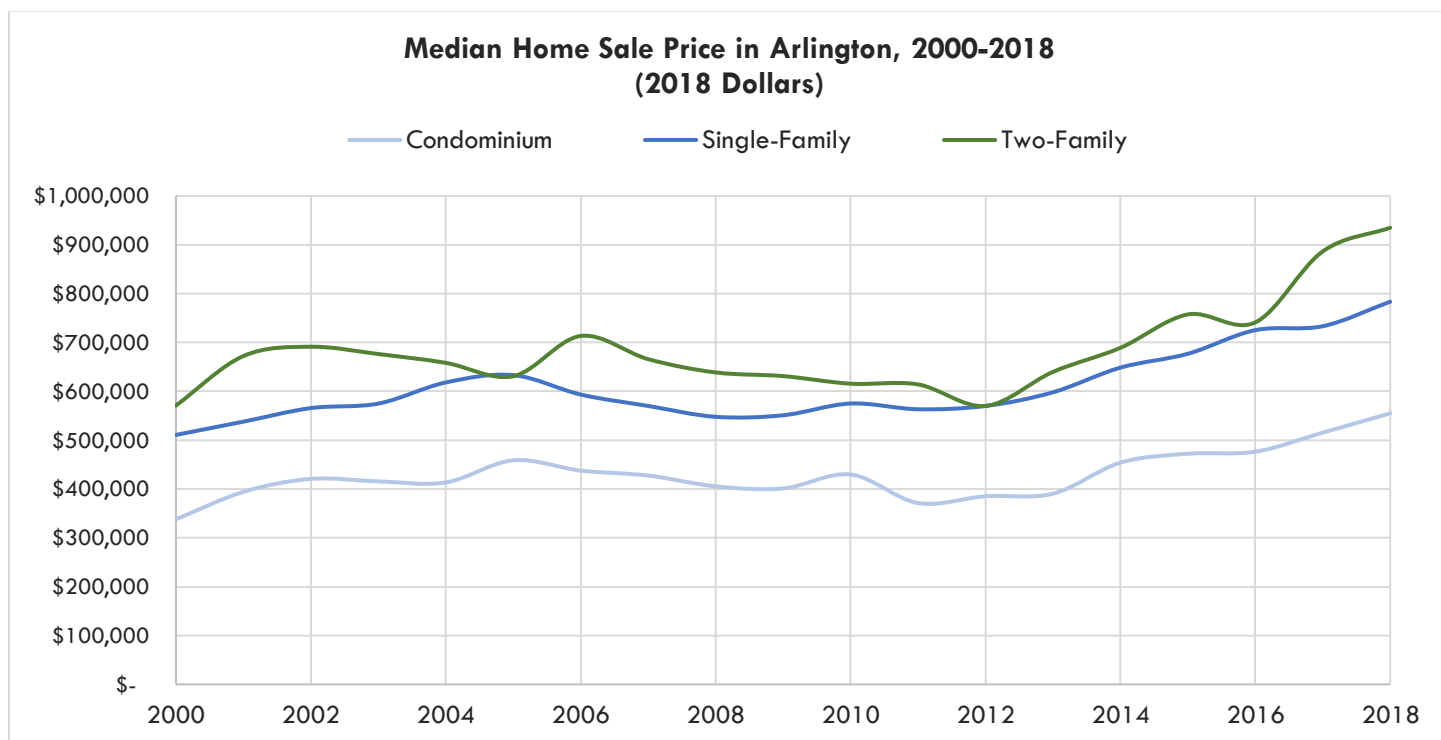


Table 14: Median Home Sale Price in Arlington, 2000 – 2018 (The Warren Group, Residential Home Sales by Type and Price; adjusted to 2018 dollars using U.S. Bureau of Labor Statistics Consumer Price Index data for Boston-Cambridge-Newton, MA-NH)

Year of Sale	Condominium	Single-family	Two-Family
2000	\$338,000	\$511,000	\$571,000
2001	\$394,000	\$538,000	\$672,000
2002	\$421,000	\$566,000	\$691,000
2003	\$416,000	\$575,000	\$676,000
2004	\$413,000	\$618,000	\$658,000
2005	\$459,000	\$633,000	\$631,000
2006	\$438,000	\$593,000	\$713,000
2007	\$428,000	\$570,000	\$666,000
2008	\$405,000	\$548,000	\$639,000
2009	\$401,000	\$551,000	\$631,000
2010	\$430,000	\$575,000	\$616,000
2011	\$371,000	\$563,000	\$614,000
2012	\$385,000	\$570,000	\$570,000
2013	\$390,000	\$598,000	\$640,000
2014	\$454,000	\$649,000	\$689,000
2015	\$472,000	\$677,000	\$757,000
2016	\$476,000	\$725,000	\$741,000
2017	\$515,000	\$733,000	\$886,000
2018	\$555,000	\$784,000	\$935,000
Percent Change (2000 – 2018)	64%	53%	64%
Percent Change (2008 – 2018)	29%	36%	52%

Rental Costs

Approximately 40% of the housing units in Arlington are renter-occupied. The estimated median gross rent by bedroom count in Arlington is as follows:

Table 15: Median Gross Rent in Arlington (MAPC Rental Database)

Bedrooms	Median Gross Rent	Estimated Price per Bedroom
Studio (0-Bedrooms)	\$1,500	-
1-Bedroom	\$1,750	\$1,750
2-Bedroom	\$2,195	\$1,098
3-Bedroom	\$2,650	\$883
4-Bedroom	\$3,200	\$800

The table below shows median gross rent by bedroom count across the comparison region. While data on rents across the comparison region is limited, the data available place Arlington in the lower end of the rents (20/25) for studios, 1-bedroom units (22/25), and 2-bedroom units (20/25). Median rent for 3-bedroom units and 4-

bedroom units in Arlington are in the middle of the range (11/25). Rents for five-bedroom units were excluded from the analysis due to small sample size. Rents in Arlington and throughout the region remain unaffordable for many households; affordability is further discussed in the following section.

Table 16: Median Gross Rent in Arlington and the Comparison Region in 2018 (MAPC Rental Database)

Studio (0-Bedroom)	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom
\$2,972 (Watertown)	\$2,475 (Cambridge)	\$3,000 (Cambridge)	\$4,150 (Reading)	\$5,225 (Reading)
\$2,950 (Melrose)	\$2,300 (Brookline)	\$2,825 (Weston)	\$3,800 (Weston)	\$4,950 (Weston)
\$2,850 (Somerville)	\$2,250 (Boston)	\$2,750 (Brookline)	\$3,500 (Lexington)	\$4,400 (Cambridge)
\$2,840 (Medford)	\$2,150 (Watertown)	\$2,605 (Boston)	\$3,500 (Cambridge)	\$4,400 (Brookline)
\$2,800 (Boston)	\$2,144 (Burlington)	\$2,586 (Burlington)	\$3,500 (Brookline)	\$4,375 (Bedford)
\$2,780 (Brookline)	\$2,104 (Bedford)	\$2,582 (Reading)	\$3,000 (Somerville)	\$4,122 (Winchester)
\$2,600 (Stoneham)	\$2,100 (Melrose)	\$2,580 (Bedford)	\$2,975 (Boston)	\$3,900 (Somerville)
\$2,500 (Bedford)	\$2,100 (Medford)	\$2,575 (Lincoln)	\$2,900 (Burlington)	\$3,900 (Lexington)
\$2,350 (Lexington)	\$2,100 (Lexington)	\$2,505 (Lexington)	\$2,862 (Newton)	\$3,605 (Boston)
\$2,200 (Reading)	\$2,095 (Reading)	\$2,450 (Somerville)	\$2,800 (Belmont)	\$3,575 (Newton)
\$2,112 (Burlington)	\$2,070 (Stoneham)	\$2,400 (Melrose)	\$2,650 (Arlington)	\$3,400 (Medford)
\$2,050 (Cambridge)	\$2,050 (Somerville)	\$2,300 (Newton)	\$2,601 (Concord)	\$3,200 (Arlington)
\$2,000 (Everett)	\$2,000 (Everett)	\$2,295 (Woburn)	\$2,600 (Watertown)	\$3,000 (Belmont)
\$1,961 (Concord)	\$1,870 (Woburn)	\$2,250 (Waltham)	\$2,600 (Medford)	\$2,900 (Watertown)
\$1,911 (Woburn)	\$1,850 (Lincoln)	\$2,210 (Chelsea)	\$2,585 (Waltham)	\$2,900 (Waltham)
\$1,875 (Weston)	\$1,840 (Chelsea)	\$2,200 (Stoneham)	\$2,575 (Winchester)	\$2,850 (Everett)
\$1,710 (Chelsea)	\$1,812 (Concord)	\$2,200 (Medford)	\$2,500 (Melrose)	\$2,850 (Concord)
\$1,595 (Newton)	\$1,800 (Weston)	\$2,200 (Concord)	\$2,400 (Chelsea)	\$2,800 (Melrose)
\$1,500 (Waltham)	\$1,800 (Waltham)	\$2,195 (Watertown)	\$2,300 (Stoneham)	\$2,647 (Lincoln)
\$1,500 (Arlington)	\$1,800 (Newton)	\$2,195 (Arlington)	\$2,300 (Malden)	\$2,600 (Malden)
\$1,475 (Wakefield)	\$1,800 (Belmont)	\$2,100 (Winchester)	\$2,250 (Woburn)	\$2,600 (Chelsea)
\$1,455 (Malden)	\$1,750 (Arlington)	\$2,100 (Malden)	\$2,250 (Wakefield)	\$2,595 (Wakefield)
\$1,400 (Winchester)	\$1,735 (Malden)	\$2,100 (Belmont)	\$2,250 (Everett)	\$2,500 (Stoneham)
\$1,398 (Lincoln)	\$1,725 (Winchester)	\$2,000 (Everett)	\$2,225 (Bedford)	\$2,400 (Burlington)
\$1,100 (Belmont)	\$1,550 (Wakefield)	\$1,895 (Wakefield)	\$1,456 (Lincoln)	\$2,365 (Woburn)

Cost-Burden

Cost-Burden in Arlington and the Comparison Region

Households paying 30 to 50% of their income on housing are defined as cost-burdened and households paying more than 50% of their income on housing are defined as extremely cost-burdened. Of the 18,247 (± 842) occupied housing units in Arlington where cost burden status could be determined, 3,067 ± 349 (17% $\pm 2\%$) qualified as cost burdened and 2,314 ± 309 (13% $\pm 2\%$) qualified as extremely cost-burdened. This is roughly a third of households in Arlington.

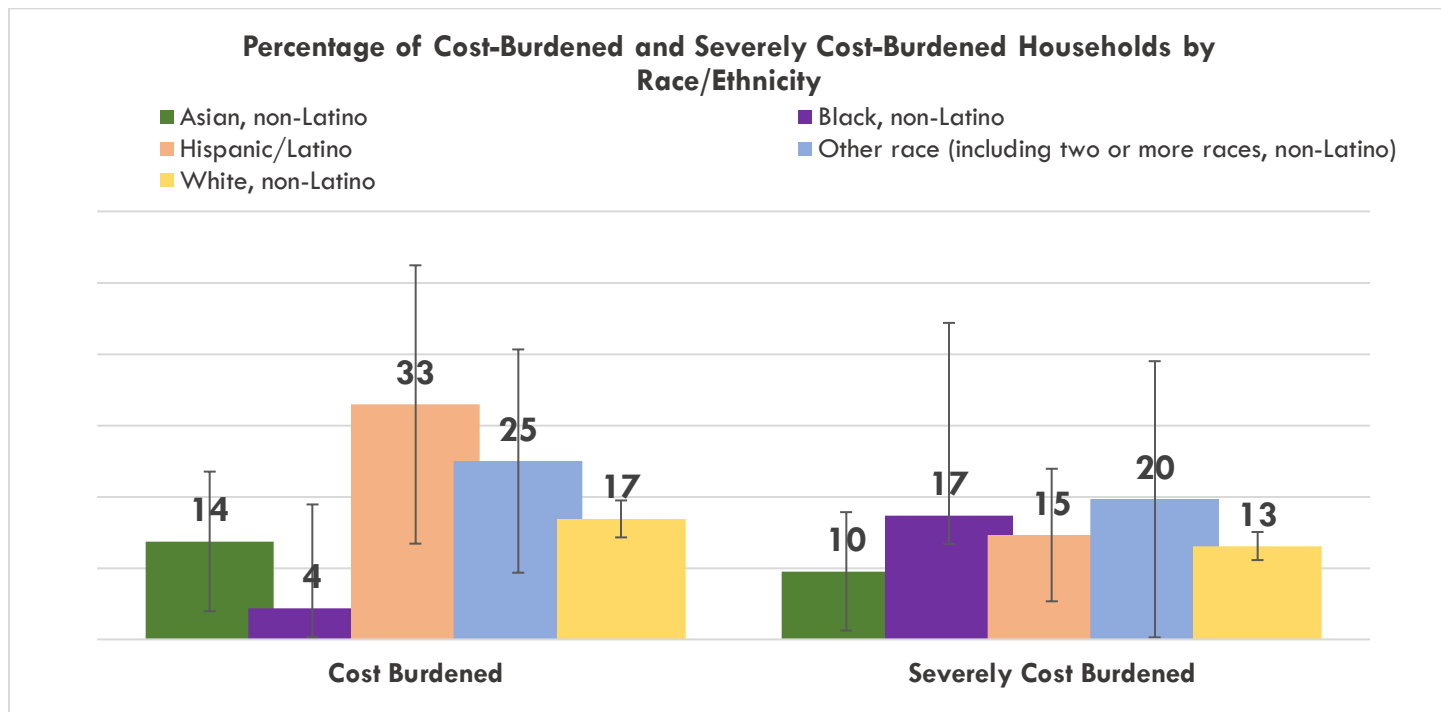
By percentage, there are fewer households in Arlington that are either cost-burdened or extremely cost-burdened (30% $\pm 2\%$) relative to the rest of the region; Arlington ranks 22nd of the 25 municipalities when ranked high-to-low in percentage of cost-burdened households. The aggregated statistic for the comparison region is 39% $\pm 1\%$. The percentage of either cost-burdened or extremely cost-burdened households in Arlington has decreased slightly (34% $\pm 2\%$) since the 2005-2009 ACS 5-Year estimates and Arlington's rank relative to the municipalities has held at 22. The aggregated statistic for the comparison region has decreased slightly, moving from 43% $\pm 1\%$, to its current value of 39% $\pm 1\%$.

Cost-Burden by Race and Ethnicity

White households in Arlington, which are the most common household type (88% $\pm 2\%$), reflect the overall percentages of cost burdened and severely cost burdened households in Arlington. The percentage of cost-burdened Latino and Other race households exceeds this share at 33% ($\pm 20\%$) and 25% ($\pm 16\%$), respectively, while Asian households and Black households fall below it at 14% ($\pm 10\%$) and 4% ($\pm 15\%$), respectively.

These percentages shift when looking at severely cost-burdened households in Arlington. The percentage of Latino and Other race households continues to exceed the median (at 15% $\pm 9\%$ and 20% $\pm 19\%$, respectively), however, Black households also exceed the median at 17% ($\pm 27\%$). Only Asian households (10% $\pm 8\%$) fall below the median for severely cost-burdened households.

Figure 24: Percentage of Cost-Burdened and Severely Cost-Burdened Households by Race and Ethnicity



This said, the margins of error for all non-White households the percentages of households are substantial, and in all cases, comprise the margin of error for the Arlington-wide estimate for percentage of cost-burdened and extremely cost-burdened households. High margins of error reflect a combination of small sample sizes and high variability in the sample.

Cost-Burden by Age

Data shows that 42% ($\pm 5\%$) of householders ages 65 and over in Arlington are cost burdened. This is greater than the percentage of cost-burdened Arlington householders ages 35 to 64 (26% $\pm 3\%$) and 25 to 34 (20% $\pm 5\%$). This higher percentage for senior households is not surprising given that many seniors work fewer hours and rely on retirement savings or social security income; however, it is still an important factor when considering seniors' housing needs.

Appendix C:

Expanded HMDA Analysis

The federal Home Mortgage Disclosure Act (HMDA) requires many financial institutions to maintain, report, and publicly disclose loan-level information about mortgages. The following section uses this data to assess the volume of home loan applications and denial rates in Arlington and the comparison region, with attention to lending patterns that could be discriminatory. Importantly, HMDA data is useful in understanding mortgage lending and the large portion of home sales that are dependent a mortgage loan. This lending data does not shed light on the portion of the housing market where a mortgage loan is not necessary, such as “cash” purchases by very wealthy buyers. Additionally, HMDA reports do not provide data for all protected classes. This analysis is limited to the demographic categories that HMDA data does provide.

Total Loans

Application Volume

Between 2013 and 2017, there were approximately 3,170 applications for home loans in Arlington. Arlington's application volume makes up about 3.7% of the volume in the comparison region, which saw a total of 88,480 applications during this period.

Most (1,982, or 63%) of the applications in Arlington were submitted by applicants that fall in the high-income category, defined here as \$125,000 or more a year, followed by 829 applicants (26%) in the moderate-income category, defined as \$75,000 to \$124,999 a year. Approximately 230 applications (7%) were submitted by applicants in the low-income category (\$25,000-\$74,999) and one application was submitted by an applicant in the lowest-income category (\$0-\$24,999).⁷⁰

The table below describes application volume in Arlington and the comparison region by income category. Application volume in the comparison region reflects trends in Arlington, where volume increases as income increases; however, the comparison region has a larger share of applications from the lowest-income and lower-income categories.

⁷⁰ Because it is impossible to draw conclusions for this income category based on a single applicant, this analysis refrains from making any conclusions about this group in Arlington.

Table 17: Application Volume by Income Category in Arlington and Comparison Region (HMDA, 2013-2017)

	ARLINGTON		COMPARISON REGION	
	Applications	Percentage	Applications	Percentage
LOWEST-INCOME (\$0 - \$24,999)	1	0.03%	215	0.3%
LOWER-INCOME (\$25,000 - \$74,999)	234	7.7%	13,206	15.9%
MODERATE-INCOME (\$75,000 - \$124,999)	829	27.2%	23,510	28.4%
HIGH-INCOME (\$125,000 +)	1,982	65.1%	45,893	55.4%
N/A	119		5,651	
TOTAL	3,165		88,475	

These trends in application volume by income are unsurprising given that applicants would likely need higher earnings to afford to purchase a home in Arlington. These trends also underscore the high barrier of entry to purchase a home in town. It is notable that the share of total applicants in the lower-income category for the comparison region (16%) is double that for Arlington (8%), meaning that lower-income residents are half as likely to seek housing in Arlington. This again highlights the difficulty that lower-income residents face in accessing housing in town. While income is not a protected class, due to the strong relationship between income and many protected classes it is an important component of understanding the extent to which protected classes can access housing in town.

Denial Rate

Home mortgage applications are either approved and the loan is “originated” (meaning that they lead to the applicant obtaining a mortgage), or the application is denied. Understanding the origination and denial rates for protected classes contributes to an understanding of whether lending discrimination may be occurring.

Of the 3,170 applications for loans on homes located in Arlington, around 95.2% (3,010) led to a loan origination and around 4.8% (150) led to a loan denial. As expected, denial rates were higher for lower-income applicants (12.4%). Moderate-income applicants were denied around 5.7% of the time, and high-income applicants were denied around 3.6% of the time. Unsurprisingly, denial rates decreased as income increased.

Table 18: Application Volume and Denial Rate in Arlington and the Comparison Region (HMDA, 2013-2017)

	ARLINGTON		COMPARISON REGION	
	Applications	Denial Rate	Applications	Denial Rate
LOWEST-INCOME (\$0 - \$24,999)	1	100.0%	215	54.0%
LOWER-INCOME (\$25,000 - \$74,999)	234	12.4%	13,206	14.4%
MODERATE-INCOME (\$75,000 - \$124,999)	829	5.7%	23,510	8.5%
HIGH-INCOME (\$125,000 +)	1,982	3.6%	45,893	6.0%
N/A	119		5,651	
TOTAL	3,165	4.8%	88,475	

Except for the lowest-income category, where Arlington only had one applicant, Arlington's denial rate was consistently lower than the denial rates in the comparison region. The town's overall denial rate (combining all income categories) of 4.8% is the lowest of any other municipality in the comparison region, which ranges from Arlington to Everett (14.7%). In other words, those who do apply for a loan in Arlington are more likely to be successful than in the region overall, regardless of income.

Loan application volume and denial rates by income suggest, as might be expected, that higher income applicants are more likely to apply for loans and more likely to be approved for those loans. Because many protected classes have lower incomes than the general population, this disparity in access to homebuying likely impacts protected classes more than the general population. Protected classes broken out in HMDA data are discussed in further detail below.

Loans by Race and Ethnicity

Of the 2,590 applications in Arlington where the race and ethnicity of the primary applicant was reported, the vast majority of applicants were White (78%; 2,011 people), followed by Asian (18%; 476 people). Just 53 applicants (2%) were Latino and just 23 (1%) were Black. There were eight applicants that were American Indian or Alaskan Native and five applicants that were Pacific Islander. While the share of Asian applicants seeking mortgages in Arlington is higher than the share of Asian residents currently living in Arlington (11.5%), the share of Latino and Black applicants is much lower than that of Arlington's current population (4% and 2% respectively). In other words, those applying for mortgages in Arlington are even less likely to be Hispanic or Black than Arlington's current population.

Table 19: Applicant Volume in Arlington by Income and Race/Ethnicity (HMDA, 2013-2017)

	American Indian or Alaska Native	Asian	Black	Latino	Pacific Islander	White
LOWEST-INCOME (\$0 - \$24,999)						
LOWER-INCOME (\$25,000 - \$74,999)		41	3	6	3	152
MODERATE-INCOME (\$75,000 - \$124,999)	4	170	6	13		527
HIGH-INCOME (\$125,000 +)	4	265	14	34	2	1,333
TOTAL APPLICANTS	8	476	23	53	5	2,011
PERCENTAGE OF APPLICANTS	0%	18%	1%	2%	0%	78%

Table 20: Applicant Volume in the Comparison Region by Race and Ethnicity (HMDA, 2013-2017)

	American Indian Or Alaska Native	Asian	Black	Latino	Pacific Islander	White
LOWEST-INCOME (\$0 - \$24,999)		50	11	14	1	99
LOWER-INCOME (\$25,000 - \$74,999)	23	2,286	1,114	1,165	24	7,032
MODERATE-INCOME (\$75,000 - \$124,999)	38	3,661	1,219	1,379	35	14,257
HIGH-INCOME (\$125,000 +)	68	6,741	651	1,021	40	30,397
TOTAL APPLICANTS	129	12,738	2,995	3,579	100	51,785
PERCENTAGE OF APPLICANTS	0%	18%	4%	5%	0%	73%

In the comparison region, approximately 73% of applicants were White, followed again by Asian applicants (18%). Around 5% of applicants were Latino and 4% of applicants were Black. Less than one percent of applicants were American Indian or Alaskan Native or Pacific Islander.

While the share of Latino and Black applicants is higher in the comparison region than in Arlington, in both cases it is again less than half the share of Latino and Black residents in the region (12.8% and 13.6% respectively). While this is unsurprising given the lower rates of homeownership among Black and Latino households, it reinforces the conclusion that there are substantial barriers preventing these groups from seeking mortgages and homeownership opportunities, both in Arlington and across the region.

Given the small proportion of mortgage applications in Arlington that are from Latino or Black applicants, these households would be accessing homeownership opportunities at lower rates than White households, regardless of the rate at which mortgages are approved by banks. However, mortgage approval rates are not necessarily uniform across different racial and ethnic groups. The small sample size of applicants of color in Arlington makes it difficult to draw conclusions in many categories.⁷¹ Within the moderate- and high-income groups, which had the highest number of applicants, there are no clear trends. However, the denial rate for Latino applicants in the high-income category was three times that of White applicants (9% and 3% respectively), a troubling difference that indicates potential lending discrimination. In the moderate-income category, the difference in denial rates between White and Latino applicants was much less pronounced (8% and 7% respectively). While Asian applicants in the high-income category were denied mortgages at a higher rate than White applicants, in the moderate-income category the reverse was true. No Black applicant in the two higher income categories was denied a mortgage.

The mortgage approval rates for the comparison region paint a clearer picture, in which persons of color are denied mortgages at higher rates than White applicants across all income categories. In the comparison region, Black applicants are denied loans at more than double the rate of White applicants across all income categories except the lowest-income (\$0 - \$24,999). Latino applicants experience similarly high rates of loan denials compared to White applicants, though they are denied at slightly lower rates than Black applicants except in the lowest-income category, where they are denied more often.

⁷¹ For example, the denial rate of 33% for Black applicants means that one person of three was denied for a loan. This could be an anomaly, or it could be the beginning of a pattern. Likewise, while the 100% approval rate for Latino and Pacific Islander applicants in the lower-income category doesn't suggest a problem, one denied applicant in either category would cause the denial rates to exceed or equal the denial rates for Asian applicants or White applicants. Of course, the small sample size is an issue in and of itself, as discussed above.

Table 21: Denial Rate in Arlington by Income and Race/Ethnicity (HMDA, 2013-2017)

	American Indian Or Alaska Native	Asian	Black	Latino	Pacific Islander	White
LOWEST-INCOME (\$0 - \$24,999)						
LOWER-INCOME (\$25,000 - \$74,999)		7%	33%	0%	0%	15%
MODERATE-INCOME (\$75,000 - \$124,999)	25%	3%	0%	8%		7%
HIGH-INCOME (\$125,000 +)	0%	5%	0%	9%	0%	3%

Table 22: Denial Rate in Comparison Region by Income and Race/Ethnicity

	American Indian Or Alaska Native	Asian	Black	Latino	Pacific Islander	White
LOWEST-INCOME (\$0 - \$24,999)		54%	55%	71%	100%	52%
LOWER-INCOME (\$25,000 - \$74,999)	22%	14%	29%	19%	8%	11%
MODERATE-INCOME (\$75,000 - \$124,999)	21%	9%	20%	13%	23%	7%
HIGH-INCOME (\$125,000 +)	6%	7%	12%	8%	8%	5%

Loans by Sex

Of the 2,740 applications in Arlington where the sex of the primary applicant was reported, the majority of applicants were male (67%), and the minority were female (33%). (HMDA data is reported by sex and not gender; no data on gender identity is reported, and it is unclear to what degree the data conflates the two.) Though male applicants almost always outnumbered female applicants, application rates are more evenly divided across lower-income applicants and less evenly divided across high-income applicants. This dynamic held true for couples as well as individual loan applicants. Overall, application volume by sex was similar in Arlington and the comparison region. Denial rates were roughly similar regardless of sex in both Arlington and the comparison region.

Table 23: Application Volume in Arlington by Income and Sex (HMDA, 2013-2017)

SEX OF PRIMARY APPLICANT	FEMALE		MALE		TOTAL
Lowest-Income (\$0 - \$24,999)	0	0%	1	100%	1
Lower-Income (\$25,000 - \$74,999)	115	53%	100	47%	215
Moderate-Income (\$75,000 - \$124,999)	306	40%	459	60%	765
High-Income (\$125,000 +)	474	27%	1,285	73%	1,759
Total	895	33%	1,845	67%	2,740

Table 24: Application Volume in Comparison Region by Income and Sex (HMDA, 2013-2017)

SEX OF PRIMARY APPLICANT	FEMALE		MALE		TOTAL
Lowest-Income (\$0 - \$24,999)	74	39%	118	61%	192
Lower-Income (\$25,000 - \$74,999)	5,887	48%	6,495	52%	12,382
Moderate-Income (\$75,000 - \$124,999)	8,209	37%	13,713	63%	21,922
High-Income (\$125,000 +)	11,198	27%	30,277	73%	41,475
Total	25,368	33%	50,603	67%	75,971

Table 25: Application Volume in Arlington by Income and Sex (HMDA, 2013-2017)

SEX OF PRIMARY APPLICANT	FEMALE				MALE			
SEX OF CO-APPLICANT	MALE	FEMALE	NONE	TOTAL	FEMALE	MALE	NONE	TOTAL
LOWEST-INCOME (\$0 - \$24,999)							1	1
LOWER-INCOME (\$25,000 - \$74,999)	8	1	106	115	24	1	75	100
MODERATE-INCOME (\$75,000 - \$124,999)	77	15	214	306	229	6	224	459
HIGH-INCOME (\$125,000 +)	294	45	135	474	930	35	320	1,285

Table 26: Application Volume in Comparison Region by Income and Sex (HMDA, 2013-2017)

SEX OF PRIMARY APPLICANT	FEMALE				MALE			
SEX OF CO-APPLICANT	MALE	FEMALE	NONE	TOTAL	FEMALE	MALE	NONE	TOTAL
LOWEST-INCOME (\$0 - \$24,999)	9	2	63	74	29	4	85	118
LOWER-INCOME (\$25,000 - \$74,999)	505	142	5,240	5,887	1,414	128	4,953	6,495
MODERATE-INCOME (\$75,000 - \$124,999)	1,968	386	5,855	8,209	5,177	425	8,111	13,713
HIGH-INCOME (\$125,000 +)	6,197	739	4,262	11,198	19,217	1,579	9,481	30,277

Table 7: Denial Rate in Arlington by Income and Sex (HMDA, 2013-2017)

SEX OF PRIMARY APPLICANT	FEMALE				MALE			
SEX OF CO-APPLICANT	MALE	FEMALE	NONE	TOTAL	FEMALE	MALE	NONE	TOTAL
LOWEST-INCOME (\$0 - \$24,999)							100%	100%
LOWER-INCOME (\$25,000 - \$74,999)	25%	0%	7%	8%	13%	100%	19%	18%
MODERATE-INCOME (\$75,000 - \$124,999)	6%	7%	5%	6%	6%	0%	6%	6%
HIGH-INCOME (\$125,000 +)	2%	0%	4%	3%	3%	3%	7%	4%

Table 8: Denial Rate in Comparison Region by Income and Sex (HMDA, 2013-2017)

SEX OF PRIMARY APPLICANT	FEMALE				MALE			
SEX OF CO-APPLICANT	MALE	FEMALE	NONE	TOTAL	FEMALE	MALE	NONE	TOTAL
LOWEST-INCOME (\$0 - \$24,999)	67%	100%	59%	61%	55%	50%	51%	52%
LOWER-INCOME (\$25,000 - \$74,999)	18%	25%	12%	13%	18%	25%	15%	16%
MODERATE-INCOME (\$75,000 - \$124,999)	7%	14%	8%	8%	8%	15%	9%	8%
HIGH-INCOME (\$125,000 +)	5%	6%	7%	6%	5%	7%	8%	6%

Appendix D:

Arlington Housing Authority Resident Population Tables

Elderly and Disabled Housing

Number of Persons in Household		
Household Size	Total Families	%
1	453	88.65
2	58	11.35
Total Families	511	

Citizenship Composition of Household		
Citizenship	Total Members	%
Eligible Citizen	506	88.46
Eligible Non-Citizen	66	11.54
Total Citizenships	572	

Racial Composition of Household		
Race	Total Members	%
White	444	77.62
Black	26	4.55
Indigenous	1	0.17
Asian	92	16.08
Unknown	9	1.57

Ethnicity Composition of Household		
Ethnicity	Total Members	%
Non-Latino	553	97.19
Latino	16	2.81
Total Members	569	

Number of Adults in Household		
Number of Adults	Total Families	%
1	452	88.45
2	59	11.55
Total Families	511	

Number of Children in Household		
Number of Children	Total Families	%
0	510	99.80
2	1	0.20
Total Families	511	

Number of Employed Adults in Household		
Number of Employed Adults	Total Families	%
0	434	84.93
1	77	15.07
Total Families	511	

Age of Male Family Members		
Age	Total Members	%
0-4	0	0.00
5-13	1	0.47
14-17	0	0.00
18-24	1	0.47
25-44	2	0.93
45-59	21	9.81
60-64	26	12.15
65-69	48	22.43
70-74	34	15.89
75-79	24	11.21
80 & Over	57	26.64

Age of Female Family Members		
Age	Total Members	%
0-4	0	0.00
5-13	1	0.28
14-17	0	0.00
18-24	1	0.28
25-44	6	1.68
45-59	33	9.22
60-64	35	9.78
65-69	51	14.25
70-74	54	15.08
75-79	61	17.04
80 & Over	116	32.40

Annual Income		
Amount (\$)	Total Families	%
0-4999	30	5.87
5000-9999	40	7.83
10000-14999	143	27.98
15000-19999	108	21.41
20000-24999	75	14.68
25000-34999	58	11.35
35000-44999	32	6.26
45000-999999	25	4.89

Source of Household Income		
Source of Income	Total Members	%
Federal Wage	13	1.30
General Assistance	29	2.90
None	1	0.10
Other Nonwage Sources	95	9.50
Other Wage	75	7.50
Pension	143	14.30
Social Security	418	41.80
SSI	213	21.30
TANF Assistance	1	0.10
Unemployment Benefits	12	1.20

Family Housing (Menotomy Towers)

Number of Persons in Household		
Household Size	Total Families	%
1	14	8.05
2	51	29.31
3	42	24.14
4	42	24.14
5	20	11.49
6	4	2.30
7	1	0.57
Total Families	511	

Citizenship Composition of Household		
Citizenship	Total Members	%
Eligible Citizen	463	85.58
Eligible Non-Citizen	60	11.09
Ineligible Non-Citizen	1	0.18
Total Citizenships	541	

Racial Composition of Household		
Race	Total Members	%
White	269	49.72
Black	103	19.04
Indian	3	0.55
Asian	162	29.94
Unknown	2	0.37

Ethnicity Composition of Household		
Ethnicity	Total Members	%
Non-Latino	501	92.61
Latino	40	7.39

Number of Adults in Household		
Number of Adults	Total Families	%
1	47	27.01
2	98	56.32
3	22	12.64
4	5	2.87
5	2	1.15
Total Families	174	

Number of Children in Household		
Number of Children	Total Families	%
0	66	37.93
1	41	23.56
2	45	25.86
3	17	9.77
4	5	2.87
Total Families	511	

Number of Employed Adults in Household		
Number of Employed Adults	Total Families	%
0	60	34.48
1	87	50.00
2	27	15.52
Total Families	511	

Age of Male Family Members		
Age	Total Members	%
0-4	17	7.39
5-13	55	23.91
14-17	22	9.57
18-24	30	13.04
25-44	43	18.7
45-59	45	19.57
60-64	6	2.61
65-69	4	1.74
70-74	4	1.74
75-79	1	0.43
80 & Over	3	1.30

Age of Female Family Members		
Age	Total Members	%
0-4	20	6.43
5-13	61	19.61
14-17	27	8.68
18-24	27	8.68
25-44	91	29.26
45-59	52	16.72
60-64	13	4.18
65-69	10	3.22
70-74	4	1.29
75-79	2	0.64
80 & Over	4	1.29

Annual Income		
Amount (\$)	Total Families	%
0-4999	8	4.6
5000-9999	13	7.47
10000-14999	18	10.34
15000-19999	22	12.64
20000-24999	16	9.2
25000-34999	33	18.97
35000-44999	21	12.07
45000-999999	43	24.71

Source of Household Income		
Source of Income	Total Members	%
Child Support	14	4.19
Federal Wage	3	0.9
General Assistance	1	0.3
Medical Reimbursement	1	0.3
Other Nonwage Sources	5	1.5
Other Wage	151	45.21
Pension	6	1.80
Social Security	73	21.86
SSI	28	8.38
TANF Assistance	3	0.90
Unemployment Benefits	48	14.37

Appendix E:

Housing Authority

Properties

This information was provided directly by the Arlington Housing Authority.

Drake Village

The Drake Village development consists of 9 low-rise, elderly, 2-story buildings on a site of approximately 3.06 acres. Construction of the development was completed in 1961. There is a total of 72 dwelling units and a combined residential floor area of 33,516 square feet.

Chestnut Manor

The Chestnut Manor development consists of 1 high-rise, elderly, 7-story building on a site of approximately 1.15 acres. Construction of the development was completed in 1965. There is a total of 100 dwelling units and a combined residential floor area of 88,704 square feet.

Winslow Towers

The Winslow Towers development consists of 1 high-rise, elderly, 13-story building on a site of approximately 1 acre. Construction of the development was completed in 1971. There are a total of 132 dwelling units and a combined residential floor area of 1291 051 square feet.

Hauser Building

The Hauser Building development consists of 1 high-rise, elderly, 7-story buildings on a site of approximately 2.5 acres. Construction of the development was completed in 1975. There is a total of 144 dwelling units and a combined residential floor area of 105,875 square feet.

Cusack Terrace

The Cusack Terrace development consists of 1 high-rise, elderly, 5-story building on a site of approximately 1 acre. Construction of the development was completed in 1983. There is a total of 67 dwelling units and a combined residential floor area of 77,650 square feet.

Menotomy Manor

The Menotomy Manor development consists of 21 low-rise multifamily 2-story buildings on a site of approximately 7 acres. Construction of the development was completed in 1950. There are a total of 126 dwelling units and a combined residential floor area of 115,878 square feet. There is also a maintenance building on the site. The Menotomy Manor #2 development consists of 25 low-rise, multifamily, 2-story buildings on a site of approximately 5 acres. Construction of the development was completed in 1952. There is a total of 50 dwelling units and a combined residential floor area of 43,166 square feet.

Appendix F:

Engagement Summaries

This appendix summarizes public engagement efforts undertaken as part of the Arlington Fair Housing Action Plan process. The summaries presented here offer qualitative insights into Arlington's housing dynamics based on the experience of those living and working in the community. This engagement data supplements the quantitative analysis of protected classes in Arlington and the region. In many cases, pieces of these summaries are excerpted elsewhere in the plan. The qualitative analysis presented here informs this plan's analysis of Town policies and potential barriers to fair housing access.

Service Provider Interviews

Introduction

Throughout the spring of 2020, the Metropolitan Area Planning Council (MAPC) engaged with a variety of service providers active in Arlington to gain a better understanding of the challenges that protected classes face when seeking housing in town. While the service providers themselves may not be members of a protected class, they interact with a range of residents who may be experiencing housing challenges, and are able to offer broad insight into their clients' needs.

The findings of these interviews underscore the importance of considering qualitative input alongside quantitative data in fair housing planning, in order to understand nuances and challenges that may not be apparent through a quantitative analysis alone. For some protected classes, like households using housing choice vouchers, the data analysis found that these residents are far less likely to live in Arlington than in the region; these interviews provide insight into the causes. In other cases, the interviews highlight challenges that are not apparent in the data. For example, data analysis found that the share of persons with a disability in Arlington mirrors that of the region overall, indicating that group is likely not segregated at the regional level (see [Disability Status](#) on page 23 for more information). However, that does not mean that these residents do not face discrimination or barriers to accessing the housing that they need; residents with disabilities were one of the most frequently discussed groups during the interviews.

Process

Throughout February, March, and April 2020, MAPC staff reached out to multiple organizations and individuals identified by Arlington town staff and MAPC staff. These resulted in interviews with staff of the following organizations:

- Arlington Council on Aging
- Arlington EATs

- Arlington Housing Authority
- Arlington Public Schools
- Cambridge and Somerville Legal Services
- Caritas Communities
- Housing Corporation of Arlington

The organizations above serve a broad range of clients, including:

- Residents over 60 years of age
- Residents with disabilities
- Residents of subsidized housing
- Low- and moderate-income residents, including extremely-low income households earning less than 30% of the area median income
- Renters, including recipients of housing vouchers
- Homeowners
- Homeless individuals or those at risk of homelessness
- English language learners

While not all of the above groups are protected classes, in many cases there are overlaps; for example, across the region, several protected classes experience substantially lower income levels and higher poverty rates than the general population.

Most providers noted that housing was one of many challenges faced by their clients and many provide assistance with a range of services beyond housing. While this summary focuses specifically on the housing needs and challenges identified, it is important to note the interplay of many of these overlapping needs. Several providers spoke of clients who are food insecure and who, without a car, cannot access affordable, healthy food options. Residents often must have regular access to caregivers and social services, whether for an autistic child or for mental health or primary care. Not only is stable housing in and of itself needed, it must be in a location where residents can access the services that they need.

General Needs and Barriers

Some needs and challenges are experienced across many protected classes. The most significant of these is the mismatch between residents' incomes and the high cost of housing in Arlington. Homelessness and awareness of fair housing rights and responsibilities were also mentioned.

Affordability

The cost of housing in Arlington was the single most prominent theme throughout all the interviews conducted. When we asked the interviewees what their clients needed most, all clearly stated that Arlington needs more affordable housing. Given the extent to which protected classes have lower incomes than the general population, housing affordability is a critical and nearly universal barrier. Interviewees noted that in decades past, below-market-rate rental units could be found in Arlington. But with increased costs, low vacancy rates, and buildings being sold for renovation to high-end units or conversion to condominiums, below-market options are now few

and far between. As an example, one interviewee mentioned that the only affordable option available to a client was to rent the garage of a single-family house. Housing instability is not unique to renters; even those who have purchased their homes can find it difficult to balance mortgage payments, maintenance costs, and property taxes.

Given the lack of housing options with costs below the market rate, many residents seek deed-restricted affordable housing. However, there are not nearly enough deed-restricted units in town to meet the need. Providers cited the low number of affordable units compared to the number of low-income households, and the high wait lists for affordable units. Several interviewees noted that, while the units created through these policies are technically affordable (typically to those earning 80% of the Area Median Income), they are still far out of the reach of the extremely low-income and very low-income clients that their organizations serve.

Homelessness

Another issue that affects multiple protected classes, and which is exacerbated by high housing costs, is homelessness. Amongst those interviewed, there was a perception that the homeless population in town is increasing. This group includes residents of all ages—from students enrolled in the school system to seniors—who may be living in cars, couch surfing, or temporarily living with relatives. Often these residents are employed, but a minimum wage job is not typically sufficient to afford housing in Arlington. In other cases, they may have suffered an injury or trauma that interrupted their ability to work and pay housing costs. In still other cases, providers suspected there was a potential undiagnosed mental health challenge.

Awareness and Capacity

While providers were aware that fair housing law prohibits discrimination against protected classes seeking housing, many said that they do not have the capacity to support their clients in preventing discrimination or fighting it when it occurs. Many organizations do not have the resources to expand their services beyond their core mission, such as ensuring residents have shelter, food, or health care, and cannot address fair housing issues beyond referring their clients to an organization that does.

Needs and Barriers Specific to Protected Classes

Beyond the general challenges above, interviewees discussed housing challenges experienced by specific protected classes. It is important to keep in mind that this information is not exhaustive; just because an issue is not mentioned by a provider does not mean a barrier doesn't exist. Where applicable, differences between purely anecdotal experiences and those that are more widespread from the providers' perspective are noted. For the purpose of this summary, challenges faced by each group are discussed in separate sections, but it is common to be a member of multiple protected classes and many of the challenges discussed below are not mutually exclusive.

Disability

The needs of residents with disabilities were a significant component of many interviews. Most physically disabled residents have specific needs for their unit. In addition to a stair-free entry and a unit on the first floor or in a building with an elevator, disabled residents often need bathrooms large enough to accommodate a

walker, wheelchair, or home health aide. Doorways must be wide enough for a walker or wheelchair, and entry doors, which are difficult to open when using a walker or wheelchair, must have push button entries. Some residents require live-in care, but are only eligible for a one-bedroom apartment. To further complicate matters, accessibility needs are not one size fits all; they vary based on the specific needs of individuals.

Fully accessible units, needed by residents with significant mobility impairments, are difficult to find. One housing provider reported a doubling of demand for first floor and accessible units, which are desirable for seniors as well as those with disabilities. Renovating existing units is possible in some cases, but often difficult or impossible in older units where space is constrained.

Several providers noted that a subset of the disabled community that had particular needs is those with mental illness, dementia, or substance abuse. For these residents, the ability to successfully maintain tenancy is often dependent on the availability of social services. Those with behavioral or mental health issues may be asked to leave their current living situation if they do not have access to support or someone to advocate on their behalf. Service providers noted that a relapse of a substance abuse disorder often occurs alongside nonpayment of rent, leading to eviction.

Several interviewees reported cases of discrimination based on disability. We heard two different cases in which a disabled resident applied for an affordable unit in a mixed-income building but was ignored or had appointments postponed or canceled without notice. One provider had heard of clients being removed from waiting lists for affordable units in mixed-income buildings without notice or explanation. Some interviewees noted discrimination towards those with substance abuse issues and reported that that clients in recovery often feel the need to conceal time spent in treatment to avoid having their application denied.

An additional difficulty for residents with disabilities is obtaining modifications or accommodations needed for their housing to meet their needs, such as grab bars in a bathroom, a wheel-under sink in the kitchen, or a parking space close to the building entry. Many landlords do not provide reasonable accommodation even though they are required by law to do so. Some landlords will even move to evict a tenant if the accommodation needed is behavioral, such as allowing a support animal or tolerating a certain amount of disability-related behavior. One interviewee cited the need for additional education, both for tenants and landlords, to increase understanding of reasonable accommodations.

Familial Status

Several interviewees indicated the small number of family-sized rental units as a challenge for their clients. They noted cases where larger families opt to move into a 2-bedroom unit, which are more readily available, resulting in overcrowding. One provider cited the conversion of 2- or 3-family units to condominiums as further reducing the number of large rental units in town.

Interviewees noted that the number of low-income students in the school system has been decreasing, and that many families are leaving Arlington because they can no longer afford to live in town. They noted several cases in which families would leave Arlington for housing that was more affordable or more appropriately sized for a large family, but would try to keep their children enrolled in the Arlington school system. In other cases, two families might share an apartment after one loses their housing. While federal law enables students who become homeless to remain enrolled in their school system, the law does not apply to students who are experiencing more general housing instability but are not homeless. According to the school system's homeless liaison, affordable

housing issues are often at the root of residency investigations, which can result in enrollment issues for students and disruption in their education.

Interestingly, no interviewee mentioned the presence of lead paint, and the requirement that it be abated if a child is in residence, as a barrier to obtaining housing.

Race and Ethnicity

MAPC's data analysis highlighted persons of color as a protected class that is underrepresented in Arlington (see [Race and Ethnicity](#) on page 30 for more information). However, the providers interviewed indicated that discrimination based on race or ethnicity is subtle and difficult to pinpoint. One interviewee offered two different anecdotes in which housing applications from families of color were passed over or denied because of minor errors or omissions in their applications; when the families sought to correct the errors, the provider felt that the families were being given an unnecessarily hard time or that assumptions were being made about the family.

National Origin

Discrimination based on national origin was also difficult to pinpoint, though some providers had the sense that it is not uncommon (the two families mentioned in the previous section, in addition to being persons of color, were not originally from the United States). One provider noted an example of a building with a high share of Chinese residents that had developed a culture of "us versus them." While this does not necessarily equate to a barrier in securing housing, it may indicate an unhealthy environment for residents.

Providers did note that language is often a barrier for clients seeking housing. Engaging a translator and guiding non-English speakers through the process of applying for and securing housing is a challenge even when a household is seeking assistance through a service provider; the challenge is presumably far greater for households that do not have that assistance. A representative from the Arlington public schools reported that Japanese, Chinese, and Spanish were the most common languages spoken by students in the English language learners program, but that there are as many as 50 different cultures represented in the school district. Such cultural and linguistic diversity is an asset, but can also be a challenge, particularly for speakers of languages that are less common in Arlington.

Age

The median income for Arlington seniors is roughly half that of all households in Arlington (see [Age](#) on page 36 for more information). Interviewees confirmed that many seniors' fixed incomes are a substantial barrier to maintaining or securing housing that meets their needs. Many seniors also have disabilities, which compounds the challenges.

Senior renters face the challenge of housing costs and rents that continually increase while their income stays the same. Several interviewees reported many cases of seniors being evicted from longtime residences when their building is sold. Seniors seeking housing are competing with higher-earning households who are attracted by Arlington's proximity to downtown Boston and local amenities. As one provider said, "We hear about people that have lived in Arlington all their lives and recently retired and now need to find a place to live. People can't afford the rents at all." An option that younger residents commonly use to make housing more affordable—living with roommates—is not common among seniors, even if they seek it; those that have pursued shared living

situations have found that potential housemates are not interested in a senior roommate. One of the interviewees also noted that older adults face significant discrimination in general when seeking housing.

Homeowners also face challenges. One provider noted that a surprising number of retired seniors who rely on a fixed income still have a mortgage. Those seeking to move to a smaller house with less maintenance have few options in Arlington. Even if they currently own their home, many must reserve a portion of the proceeds from their home sale to provide retirement income, which puts condominium prices in town out of their reach. Many opt to remain in their current homes for as long as possible, because it is their only option if they wish to remain in Arlington. Those that choose to sell their home and downsize usually move to a less expensive location like western Massachusetts, Worcester, the South Shore, or the North Shore.

Even for homeowners that aren't interested in downsizing, income is a challenge. Home maintenance is increasingly expensive. Property taxes were a commonly-cited burden. Even though Arlington's property tax rate has not increased in recent years (with the exception of this year's tax override), home values have been rising so quickly that the total amount owed by seniors often increases to become beyond their means. Many residents expect this situation to be exacerbated by the recent tax override. While tax exemptions are available, providers noted that the income and asset limits are relatively low, and that many residents who need assistance are ineligible. They also noted that the exemption amount has remained unchanged even as property tax amounts have increased. The providers noted that many of their clients are reluctant to participate in the tax deferral program, which has a higher income limit.

Beyond housing cost challenges, seniors also have specific requirements for their housing that are often a challenge given Arlington's older housing stock. Many of the needs are similar to those of persons with disabilities, such as stair-free access, larger bathrooms, or push-button entries. In larger single-family houses, simply moving through a large space can be daunting for some seniors. Many seniors' needs change over time, so housing that was formerly suitable, such as a second-floor walk-up unit or a large house with the bathroom located upstairs, may no longer be appropriate. While newer housing typically has many of the features that seniors require, it is often less affordable. Finally, the location of the housing itself is critical for seniors. Many cannot drive and must rely on public transportation or whatever amenities are available nearby. Furthermore, isolation and depression are issues for many seniors; housing that provides social support or is in a location where senior can participate in activities is important to mental health.

Public and/or Rental Assistance

In general, providers observed long wait lists to obtain a housing choice voucher; the lack of availability is in and of itself a barrier to accessing housing in Arlington. For households that have obtained vouchers, finding a place to use them is not an easy task. One of the more significant barriers identified by housing providers is the cost of housing. Housing choice vouchers pay a portion of market rents up to a regional "fair market rent" standard. This regional rent standard is substantially less than typical Arlington rents. One provider noted some cases in which a voucher holder's rent, while originally within guidelines, was raised to beyond the fair market rent.

Additionally, interviewees reported that many private landlords are reluctant to accept a housing choice voucher because, in order to meet HUD's unit quality standards, repairs to the unit would be required. These repairs are more likely to be necessary in the lower-cost units in town, which in many cases are the only units whose rent falls within HUD's guidelines. Providers also suggested that many landlords simply do not want to be bothered with the time-consuming voucher process. Beyond these logistical challenges, there is likely a stigma associated with voucher holders, making landlords less likely to view them as desirable tenants. Providers noted several instances where residents felt that landlords were not interested in renting to them once they learned that a voucher was involved. However, the providers also noted that it is difficult to prove discrimination, particularly in a tight

housing market; if a potential applicant is able to put a deposit down immediately, a landlord will almost certainly offer the apartment to that applicant rather than waiting for an inspection and processing.

Veteran Status

In general, veterans' housing needs were not a significant topic of discussion. One interviewee reported that, as with other protected classes, veterans often had difficulty finding housing due to high costs. Assistance from the Department of Veterans Affairs is sometimes delayed, and the points of service may be far from Arlington.

Other Protected Classes

Religion, marital status, sex, sexual orientation, gender identity, and genetic information were not mentioned by providers as the basis for discrimination against their clients, nor were any challenges cited for these groups in particular.

Next steps

When asked what steps would most help their clients access the housing that they need, the providers' most common answer was to create more affordable housing, both deed-restricted and unsubsidized affordable housing, for all ends of the low-income spectrum. Many providers also suggested expanded social service capacity to cover a variety of needs and services.

Resident Focus Groups

In June 2020, MAPC hosted two focus groups as part of the Arlington Fair Housing Action Plan. The goal of the focus groups was to hear directly from residents who have previously faced or are currently facing difficulties finding or maintaining housing in town. The focus group discussions are an important window into the lived experiences of residents who have faced challenging housing situations, and add depth to the input previously gathered through service provider interviews.

Process

MAPC hosted an evening focus group on June 15 and an afternoon focus group on June 16. A flyer advertising the focus groups was shared with members of three Arlington commissions that work with protected classes, who were encouraged to share the information with their networks; the service providers interviewed through the previous phase of engagement, who were asked to share the information with clients who might be interested; houses of worship in Arlington; and the Envision Arlington Diversity Task Group. Two gift certificates to Target were drawn at the conclusion of each group to thank residents for participating.

A total of six Arlington residents participated in the focus groups. Although turnout was low, the small group size enabled substantive and personal conversations. MAPC is grateful to those who participated and were willing to share their stories.

Because of the current restrictions on gatherings presented by COVID-19, the focus groups were held virtually. MAPC recognizes that access to technology may have precluded some residents from participating. Another barrier may have been the subject matter itself; residents may have been reluctant to share personal experiences in a group setting. To accommodate this, MAPC staff offered one-on-one phone calls for those who were reluctant or unable to participate in a virtual focus group.

General Needs and Barriers

Some housing needs and challenges are experienced across many protected classes. The most significant of these, articulated by every participant in the focus groups, is high housing costs. Other universal themes were a lack of clarity regarding tenants' rights and mixed opinions about whether to report discrimination or other housing issues.

Affordability

For many participants, the high cost of housing required them to make difficult decisions about what they were willing to sacrifice in exchange for relatively lower-cost housing. As one participant put it, "It's expensive to rent here. You need to weigh what you're willing to give up to afford a place." In some cases, those tradeoffs were related to safety, whether because the building did not meet their accessibility needs or because the building was not code compliant. One participant stated, "The places that are more affordable, there's usually an issue. You'll notice that things are unsafe or should have been fixed." Examples from various participants included a lack of hot water due to too many units sharing a water heater, inadequate electric service resulting in continually tripped circuit breakers and potential fire hazards, or general negligence with regards to maintenance and repairs. Older buildings with longtime landlords were noted as being particularly problematic. One participant, whose landlord rents rooms individually to unrelated occupants, said that she felt unsafe due to the behavior of the other occupants with whom she shared the apartment's kitchen and bathroom.

Of the six participants, two currently live in deed-restricted affordable housing and one is on a wait list. That participant observed that her application was sent to many towns, and that she would not necessarily be able to stay in Arlington depending on where her application was accepted.

Some participants who currently rent their homes expressed a desire to one day own a home. However, they noted the lack of affordable homeownership opportunities and programs, and acknowledged that ownership was unlikely given current home prices in town.

Availability of Information

Participants in both groups cited difficulties finding clear and readily available information on tenants' rights, whether through the Town's website or elsewhere. One participant was unsure how her living situation would be categorized in the zoning bylaw and what her landlord's responsibilities were. Another could not find information

about how to request a reasonable accommodation, or whether her need would qualify. Describing the process of seeking information on her rights as a tenant, she said: “You don’t realize how tough something is until you actually experience it.”

Reporting

One participant expressed reluctance to file formal complaints regarding discrimination. Although she believed it was important to have a record of complaints against a landlord, “There’s so many things going on in your life, you wonder is it worth it and would something even be done.” She was also unsure how to take action: “When it first happened to me, I found it difficult to find the right people to talk to.”

Beyond formal fair housing complaints, participants discussed addressing inadequate housing conditions directly with a landlord. Some residents were reluctant to raise issues because they feared retaliation from the landlord, or that a potential inspection by the town would result in the unit being deemed uninhabitable. “When you talk about a situation like this, people ask ‘why don’t you just leave?’ You weigh all these options, and at the time you’re just trying to make the best decision... You’re afraid to bring this forward because you’re afraid of not having a roof over your head.” Indeed, one participant, who lives in a rooming house, recently made a complaint about another tenant, and shortly thereafter was informed that the landlord was not renewing leases for the coming year. The participant suspected that the landlord was using a building renovation to avoid the appearance of discrimination.

One participant had experience with filing a complaint with the Human Rights Commission regarding privacy issues and timely addressing of reasonable accommodations. The participant felt that the Town was reluctant to get involved.

Needs and Barriers Specific to Protected Classes

Beyond the general challenges above, participants discussed housing challenges or discriminatory actions experienced by specific protected classes. For the purpose of this summary, challenges faced by each group are discussed in separate sections, but it is common to be a member of multiple protected classes and many of the challenges discussed below are not mutually exclusive.

Disability

Participants who identified as disabled discussed specific challenges they face in their current homes. Some of these were related to the physical building, such as an upper-floor unit in a building without an elevator. Lack of automatic doors, particularly for trash areas, were cited as a barrier. Two participants mentioned a need for in-unit washers and dryers, due to the difficulty of carrying laundry to a common laundry room, and for dishwashers. Several participants commented on the lack of comfort in older buildings, whether from cold air and drafts around windows in winter or lack of ventilation and excessive heat in the summer.

Participants also discussed reasonable accommodations, both that they had previously received and that they wished their landlord would provide. One resident with asthma said that she would like to seek an accommodation to install ventilation in the kitchen, which currently is unventilated, but was unsure if her need would qualify. Reasonable accommodations were not only related to physical improvements; one participant

said that she needed to advocate for an accommodation for a support animal after she was told pets were not allowed in her building. Participants mentioned heightened concerns in the current COVID-19 pandemic, particularly with regards to shared facilities and common areas.

Finally, some participants expressed concern over unfair treatment they faced as a result of their disability. One participant described “a lack of appreciation of some of the issues that folks with disabilities face, and not moving quickly to address things that are brought up, rather than direct discrimination.” This concern was echoed by another participant, who described insensitivity towards the needs of disabled residents. Privacy was also a concern: “I’ve been repeatedly asked ‘what’s wrong with you if you’re disabled? You don’t look disabled.’ ... They keep wanting to know what’s wrong [what her disability is]. That’s illegal. There’s a lot of misunderstanding about not invading people’s privacy.”

Race and Ethnicity

One participant cited landlord discrimination based on her name, which leads people to guess that she is Black. She stated that when she used her given name on housing applications, she would not receive any responses. At one point she tried using a name that sounded White and received a more positive response. As she put it, “Everybody loves Kelsey Smith, but no one likes [name not used for privacy].” Currently when seeking housing she simply uses her first initial to avoid potential discrimination.

Even after having found housing, participants observed that persons of color are often treated differently by neighbors. One person of color said that, while neighbors weren’t outwardly hostile, she often found neighbors staring at her or watching her as she walked to her building. Another participant noted the prevalence of coded complaints. The complaints may be about noise or safety concerns on the surface, but there is a discriminatory implication in many. According to this participant, the issue is not only the discriminatory sentiment itself, but that neighbors feel that these sentiments are perfectly acceptable and have no issues airing them publicly. As one participant put it, “I believe there are many people in Arlington that think it’s ok not to want people next door in different classes, whatever the class is—whether it’s socioeconomic, physical disability, mental disability, people of color, whatever the issue is. There’s a belief that change and allowing people into Arlington who are not just like them would cause a problem for them.”

National Origin

Although none of the participants identified national origin as a barrier that they themselves had experienced, one participant expressed concern that affordable housing applications—already daunting for native English speakers—might be prohibitively complicated for English language learners.

Age

One participant was concerned that Arlington’s tax policies were overly burdensome to seniors on fixed incomes who are unable to afford large tax increases. She pointed out that seniors generally want to age in place, but rising property taxes preclude them from doing so and eventually prompts them to move elsewhere. “A lot of the housing that’s being built [in Arlington] is luxury housing. People move to Burlington or Woburn where they can buy condos and won’t have a high tax rate. We’re beginning to lose people in the older bracket. It’s not directly discrimination, but it works that way.”

Public and/or Rental Assistance

One participant received a housing voucher, and reported that the wait to receive the voucher had been six and a half years. For this resident, the voucher was critical to housing stability. Even though she lives in a deed-restricted affordable housing unit, because the rent in this unit was determined by Area Median Income and not her actual income, she would pay 100% of her income towards rent if not for a housing voucher. She also reported difficulty using the voucher with her landlord. Several participants discussed landlords being reluctant to accept vouchers, and in some cases witnessing or hearing landlords' telling voucher holders that they do not accept vouchers, in one case because their unit would not pass the required inspection.

Familial Status

One participant reported that, when seeking housing, a prospective landlord told her directly that they were no longer renting to households with children because they'd had problems in the past. The landlord appeared to be aware that this was against the law, but simply did not care.

Potential Solutions

As participants discussed the challenges they faced, they also suggested steps that would help. Those ideas included:

- Re-forming a Fair Housing Commission in town, which should have several seats reserved for residents who rent their home. As this participant put it, "Many of the committee members don't have a lot of lived experience."
- Raising the inclusionary zoning requirement to higher than 15%. This participant suggested that more residents would be comfortable with higher-density housing if affordability levels were greater.
- Establishing a community land trust.
- Making affordable housing a priority in the town's budget.
- Homeownership opportunities for low-income residents. One participant specifically mentioned a HUD program that the AHA should participate in.
- Education for landlords around their fair housing responsibilities, tenants' right to reasonable accommodations, and the need to respond to requests more quickly, more thoroughly, and with more respect.
- Developing a policy of reduced taxes for seniors, similar to that in Cambridge.
- Creating an inspection program for all rental units, not just for units accepting housing vouchers, to ensure that all renters are safe and habitable. One participant cited a policy in Chicago as an example.
- Creating a central website with information on tenants' rights and procedures such as requesting reasonable accommodations. One participant suggested a tenant information center where residents could seek advice from an attorney specializing in tenants' rights.
- Installing central air conditioning and appropriate ventilation in affordable housing units.

Commission Meetings

In preparation for the resident focus groups, MAPC attended the regular May 2020 meetings of three Arlington commissions whose work overlaps with fair housing issues: the Human Rights Commission, the Disability Commission, and the LGBTQIA+ Rainbow Commission. At the commission meetings, MAPC gave a brief overview of fair housing, answered questions, and listened to commissioners' comments as time permitted.

Disability Commission, May 20, 2020

Commissioners' comments included:

- When older buildings have only one elevator and it breaks, that creates a huge issue, and there's not clarity about the landlord's responsibility to fix it in a timely manner.
- Parking location near the building entrance, especially given Arlington's prohibition on overnight on-street parking, is an issue.
- Lack of clarity about the process to file a complaint, how complaints are handed, and what the Commission can do. Role of the Commission, the Town, and the Architectural Access board, and their ability to provide cover for the tenant against landlord retaliation.
- Mental health issues are a particular challenge.
- Lack of clarity about whether a landlord can turn down a potential tenant because of potential reasonable accommodations (i.e., need for a ramp) and how to capture these instances of discrimination.
- Groups to reach out to: Tenants for a Livable Arlington, Special Education Parent's group, Special Education director in Arlington schools, America Chronic Pain Association.
- Former realtor on the commission noted it is common for landlords to not consider single mothers and certain ethnicities as tenants.
- In many cases tenants don't know their rights, don't feel they have a right to complain, or don't know how to seek assistance. One Commissioner cited an example of a family that included two children with autism. Their apartment had multiple problems with insect and rodent infestations, but they didn't want to complain because they were worried about getting kicked out and not finding another apartment. The fear is even greater for tenants who are undocumented.
- Many residents who use housing vouchers face substandard conditions, including mold or lack of accessibility.

Human Rights Commission, May 20, 2020

Commissioners' comments included:

- Language is a substantial barrier for non-English speakers seeking both affordable and market rate housing.
- The Town should be paying more attention to accessibility.
- There is a need for more multifamily housing. Single-family homes are unattainable for many.

- Consider incorporating fair housing questions into the annual Envision Arlington survey.
- Consider reconstituting the Fair Housing Committee.

LGBTQIA+ Rainbow Commission, May 21, 2020

Commissioners' comments included:

- Reach out to folks who would like to live in Arlington but cannot.
 - First time homebuyer classes in Somerville
- Reach out to the homeless community and those who serve them, including the police department, Somerville Homeless Coalition. The LGBTQ+ community is disproportionately impacted by homelessness.
- Reach out to folks who work with at-risk youth.
- In some senior housing in town, hear of a person tearing down inclusive flyers in the building. Look into whether housing in town fosters an inclusive atmosphere.
- Look into Queer Mystic data.